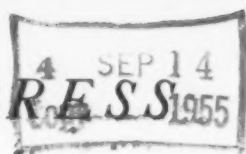


THE LIBRARY OF CONGRESS



Quarterly Journal



OF CURRENT ACQUISITIONS

VOLUME 12 • AUGUST 1955 • NUMBER 4

Canons of Selection

I

THE LIBRARY OF CONGRESS SHOULD POSSESS IN SOME USEFUL FORM ALL BIBLIOTHECAL MATERIALS NECESSARY TO THE CONGRESS AND TO THE OFFICERS OF GOVERNMENT OF THE UNITED STATES IN THE PERFORMANCE OF THEIR DUTIES.

II

THE LIBRARY OF CONGRESS SHOULD POSSESS ALL BOOKS AND OTHER MATERIALS (WHETHER IN ORIGINAL OR IN COPY) WHICH EXPRESS AND RECORD THE LIFE AND ACHIEVEMENTS OF THE PEOPLE OF THE UNITED STATES.

III

THE LIBRARY OF CONGRESS SHOULD POSSESS, IN SOME USEFUL FORM, THE MATERIAL PARTS OF THE RECORDS OF OTHER SOCIETIES, PAST AND PRESENT, AND SHOULD ACCUMULATE, IN ORIGINAL OR IN COPY, FULL AND REPRESENTATIVE COLLECTIONS OF THE WRITTEN RECORDS OF THOSE SOCIETIES AND PEOPLES WHOSE EXPERIENCE IS OF MOST IMMEDIATE CONCERN TO THE PEOPLE OF THE UNITED STATES.

From the Annual Report of the Librarian of Congress, 1940

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QUARTERLY JOURNAL OF
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Volume 12

AUGUST 1955

Number 4

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The Ordinal of 1793

IN 1947 the Library announced the acquisition of the first American edition, in folio, "for the reading-desk in Episcopal churches" of *The Book of Common Prayer, and Administration of the Sacraments, and Other Rites and Ceremonies of the Church, According to the Use of the Protestant Episcopal Church in the United States of America*. This handsome volume was printed by Hugh Gaine in 1795 under the direction of the General Convention of the Protestant Episcopal Church.¹ Before this imposing folio, expressly designed for the lectern, appeared in 1795, several other American editions of *The Book of Common Prayer* had been published. The first edition printed in America was an octavo by Hall & Sellers of Philadelphia in 1790, and the Library is fortunate not only in possessing a copy of the edition, but also a copy of its title page, which was deposited for purpose of copyright.

In 1791, Hall & Sellers brought out another edition, the so-called second "standard" edition, and in 1793 Hugh Gaine, in New York, by direction of the General Convention of the Protestant Episcopal Church, printed yet another, a duodecimo, known, according to Charles Evans' *American Bibliography*, as "the corrected edition of the 'first' Book of

common prayer." Copies of both of these are in the Library's possession.

It is, therefore, a pleasure to note here an important addition to this significant section of Americana—the first ordinal published by the Protestant Episcopal Church in the United States. A very rare work, it is entitled *The Form and Manner of Making, Ordaining, and Consecrating Bishops, Priests, and Deacons, according to the Order of the Protestant Episcopal Church in the United States of America* and was printed by Hugh Gaine in 1793, at his bookstore and printing office in Hanover Square, New York, shortly after he brought out the Prayer Book in the same year. Ratified and added at the General Convention of the Protestant Episcopal Church of 1792, the ordinal, together with the Form of Consecration of a Church or Chapel and the Office of Institution of Ministers, accounts for the remaining material, which together form a part of the Prayer Book as it remained unchanged until 1892. *

The publication of the ordinal of 1793 marks an important point in the history of the Protestant Episcopal Church in the United States. When the Revolutionary War broke out and independence was declared, the Church suffered severely because its sentiments and its ministers, for the most part, were Loyalist. The effect of the Revolution on a church which had no central authority, possessed almost no organization, had been disestablished and deprived of all its former supports, and against which popular feeling ran high,

¹ *QJCA*, IV (May 1947), 77. The Library also has a set of the unbound sheets of Hugh Gaine's folio edition of 1795 of *The Book of Common Prayer*. Considering the fragile nature of these sheets, they are in surprisingly good condition and are a fine complement to the copy in its original leather binding.

was nearly disastrous. As has been pointed out by Church historians, the period between the close of the war and the inauguration of George Washington as President in 1789 was "the critical period of American history" for the Church as well as the State.

The long and often trying history of the reorganization of the Church of England in America and the establishment of the Protestant Episcopal Church reached its culmination in the first General Convention held in Philadelphia in 1789. Before this Convention, there had been many attempts at cooperation and union. One of the most important of these was embodied in *The Case of the Episcopal Churches in the United States Considered*, published anonymously in 1782 by Bishop William White of Pennsylvania, a copy of which is owned by the Library. Bishop White, who received episcopal consecration from the Archbishops of Canterbury and York in 1787, was one of the leading figures in the 1789 Convention and it was due to him that two of the most important principles expressed in his pamphlet were incorporated into the Convention's resolutions. These were the proposal for a federal organization of the Church, and the principle of lay representation in its governing bodies.

Though the General Convention of 1789 united the Church, adopted a constitution and a set of canons, and authorized *The Book of Common Prayer*, it was not until the General Convention of 1792, held in New York, that the ordinal was ratified and made part of the Prayer Book. The preparation of the ordinal followed closely the first consecration held in the United States, that of Thomas J. Claggett, Bishop of Maryland, in 1792. The three American bishops preceding Bishop Claggett had been consecrated abroad, Seabury in Scotland, Provoost and White in England.

The journal of the House of Bishops reveals that the members met at 10 o'clock

on the morning of Wednesday, September 12, 1792. Present were the Right Rev. Dr. Seabury, Right Rev. Dr. Provoost, Bishop in New York; Right Rev. Dr. White, Bishop in Pennsylvania; and the Right Rev. Dr. Madison, Bishop in Virginia. The journal notes that after divine service the "Bishops took into consideration the form and manner of making, ordaining, and consecrating Bishops, Priests, and Deacons; and, after some deliberation, agreed to postpone the farther consideration thereof till Friday next." On the appointed day the House again met and immediately went into consideration of the ordinal. There seemed to be no material differences of opinion; a few alterations made necessary by local circumstances were proposed and agreed upon; and Bishops White and Madison were appointed a committee to prepare a draft of the ordinal to be laid before the House of Clerical and Lay Deputies. On Wednesday, September 19, that body resolved that they "concur with the resolves of the House of Bishops, for printing in one book the form of ordaining Deacons, Priests, and Bishops, and that the Rev. Dr. Moore be appointed, on the part of this house, for that purpose." On the previous Monday, September 17, the House of Bishops had passed a similar resolution.

Unfortunately the journal of Hugh Gaine, as published by Paul Leicester Ford, has no entries for this period in the celebrated printer's career. It is known, however, that although Hugh Gaine was a firm Loyalist during the Revolutionary War, at its close and until his death in 1807 he remained a respected and successful printer and citizen. During the war and prior to it, Gaine had made his reputation primarily as a newspaper publisher and public printer. With the war's end and the departure of the British from New York, he devoted himself to printing and selling books, changing his imprint from "At the

THE
FORM and MANNER
OF

MAKING, ORDAINING, AND CONSECRATING
BISHOPS, PRIESTS, and DEACONS,

ACCORDING TO THE ORDER OF THE
PROTESTANT EPISCOPAL CHURCH

IN THE
United States of America.

N E W - Y O R K :

Printed by HUGH GAINÉ, at his Book-Store and Printing-Office, in Hanover-Square,

M.DCC.XCIII.

Title page of the Ordinal of 1793.

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Bible and Crown in Hanover Square" to simply "At the Bible in Hanover Square." Though Scotch-Irish, Gaine had adopted the Anglican philosophy in both religion and politics, and it was from the end of the war that he began to do considerable printing for the Protestant Episcopal Church. The most important of the books he printed for the Church were several editions of the Bible, *The Book of Common Prayer*, the psalter of 1793, and the ordinal of 1793.

The Library's copy of the ordinal of 1793 is one of four that have been located; the other three are in the British Museum, the New-York Historical Society, and the library of Washington and Lee University. The present copy was acquired in an auction sale of a portion of the library of the

late Rev. Morgan Dix, for many years Rector of Trinity Church in New York, and a well-known historian of the Protestant Episcopal Church. There seems to be no indication of any earlier provenance. Inside the book are two holograph letters, dated May 9 and May 13, 1897, from Frederick Gibsin, of Baltimore, Md., to the Rev. Morgan Dix concerning the prelate's fine collection of liturgical books. The quarter binding of red morocco with marbled paper sides, probably ordered by Rev. Dix, was executed by E. P. Dutton of New York. It is a tall, clean copy in splendid condition, containing 19 unnumbered leaves.

J. M. EDELSTEIN
Rare Books Division

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Annual Reports on Acquisitions

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Law

DURING the 12 months ending April 30, 1955, a total of 23,566 pieces were received. They may be divided by area covered as follows:

Area:	Pieces	Percent- age
United States.....	9,000	38
British Commonwealth.....	2,091	10
Far East.....	*89	*0.3
Latin America.....	2,816	11.7
All other.....	9,570	40

*An estimated 3,416 received in the Orientalia Division are to be transferred later to the Law Library.

They may be divided by source of acquisition as follows:

Source:	Pieces	Percent- age
Purchase.....	11,156	47
Copyright deposit.....	2,778	12
All other sources.....	9,632	41

United States

As in previous years, a few rare items have been added to the collection of State legislation. One of them is a copy of the *Acts of the Assembly of Indiana Territory* for the first session of the Third General Assembly held in Vincennes in November, 1810, published by E. Stout. A run of 11 tax acts for Massachusetts, extending over the period 1751-1824, brings the Library's collection of this type of legislation for Massachusetts to more than 75 separate acts. These additions include the following numbers in Evans' *American Bibliography*: 11,328, 12,851, 13,411, 17,224, 17,225, and 17,597.

In addition, a number of original printings of separate sessions of the House of Representatives of the Colony of Massachusetts-Bay and, later, the State of Massachusetts, were purchased. They represent the following sessions as contained in the *Journal of the House of Representatives*: March 19-April 28, 1760, p. 261-351 (Boston, 1760). Evans 8413. August 13-15, 1760, p. 83-97 (Boston, 1760). Evans 8661. May 27-July 11, 1761, p. 3-112 (Boston, 1761). Evans 8921. November 12-28, 1761, p. 113-66 (Boston, 1761). Evans 8922. January 13-March 6, 1762, p. 176-299 (Boston, 1762). Evans 8923. April 14-24, 1762, p. 301-33 (Boston, 1762). Evans 8924. May 26-June 29, 1773, p. 3-99 (Boston, 1773). Evans 12855. May 27-June 15, 1778, p. 1-84 only (Boston, 1788). Evans 15889.

The material contained in these session reports is indispensable to an understanding of the subjects of legislation in the formative period of the New England colonial and State governments. The pieces received, furthermore, help to augment the Library's excellent collection of journals of the legislative bodies of the American colonies.

Another group of colonial and State session laws was received too late to be described in detail in this report. It consists of 12 separate pieces for the Colony and State of Connecticut—original printings of laws passed at the sessions of the legislature held in 1757, 1781, 1782, 1783, 1790, 1792, 1793, 1794, 1825, and 1826. They

will be described more fully in next year's report.

A special category of pre-nineteenth-century legal Americana keenly searched for by law libraries is the legal treatise published in this country. It is well known, of course, that the colonies drew heavily on the law as it was developed and interpreted by the courts and legal writers in England and, for this reason, colonial lawyers looked to English legal text writers for instruction and guidance in their practice. Reliance was at first placed on the importation of these law texts, but gradually American printers took over their publication. Next, as a natural result of the colonies' development, the all-American law book (one written, printed, published and sold in the American colonies, and keyed to law as practiced locally) made its appearance. Altogether, quite a notable group of legal publications correctly classed as native American lawbooks were brought out during the colonial period and the early days of the Republic.

The *James List of Legal Treatises Printed in the British Colonies and the American States before 1801* lists a total of 141 such treatises. Of this number the Library has 94 originals. The entire group is most desirable and necessary to both the lawyer and the legal historian. It was decided during the past year to obtain microfilms of as many of the missing texts as can be located, not as a completely satisfactory substitute for the original printing but as a means of answering reference needs. Assurance has been given that quite a few titles will be added in this way.

The Law Library is singularly fortunate in the acquisition of currently published American legal materials. The two copies received of every copyrighted American lawbook furnish the basis for an up-to-date coverage of the latest developments in the Federal and State spheres. In these areas, too, the Library's exchange, transfer, and

gift sources supplement copyright receipts with the usually noncopyrighted Government and State publications. The result is that the latest printings of State constitutions, of Federal, State, and municipal codes, of session laws, court reports, compilations and revisions of laws, citators, digests, legal periodicals, records and briefs of the Federal Judiciary, and law treatises—in short, all categories of current law publishing in this country—find their way to the shelves. For example, during the past year the new, annotated codes for three States (Maine, New Mexico, and Oregon) made their appearance while another (for the State of California) is in the process of publication. The first three codes have been received in their entirety; in the case of the latter about half of the projected volumes have been acquired.

Perhaps the most newsworthy of this type of publication are the revised and amended Civil and Penal Codes and the Code of Civil Procedure with the Probate Code of the Territory of Guam. Together with the Government Code mentioned in last year's report,¹ they form the corpus of the law for this Pacific possession.

"The program of codification was undertaken at the direction of the First Guam Legislature," according to Legislative Counsel John Bohn, "as a necessary step toward stabilizing the content and processes of law in Guam." Before the publication of these codes, the written law of Guam was contained in uncoordinated collections of typewritten and mimeographed executive orders and memoranda, laws of earlier congresses, and an outdated volume containing civil and penal codes. It will now be possible to furnish expeditiously more accurate information on legal questions concerned with the Territory of Guam.

From the vast number of other current American law publications, it is always dif-

¹ See *QJCA*, XI (August 1954), 214-15.

difficult to single out individual pieces as worthy of special mention. It can be stated in passing, however, that three treatises, all of particular interest to the trial practitioner, have been receiving more than average use from patrons of the Library. The first of these, Sydney C. Schweitzer's 4-volume *Cyclopedia of Trial Practice* (New York, 1954), is valuable for its correlation of the more commonly encountered aspects of trial procedure in civil cases and it combines the subject matter of negligence and other civil law suits in one work. The second, Melvin M. Belli's 3-volume *Modern Trials* (Indianapolis, 1954), is characterized by Roscoe Pound as "an indispensable book for the trial lawyer in personal injury cases." Finally, the late Lloyd Paul Stryker's *The Art of Advocacy* (New York, 1954) reached back into his many years' experience as a trial lawyer to present valuable information to the experienced lawyer as well as the beginner.

Of a different nature, but especially timely and providing a long-needed reference aid, is the *Digest of the Public Record of Communism in the United States* (New York, 1955), published by the Fund for the Republic, Inc., an affiliate of the Ford Foundation. In describing the compass of this volume, its compilers give the following explanation of its purpose:

The present volume undertakes to collect in one place, readily available to any person desiring to familiarize himself with the Communist problem, digests or extracts of public records of the most significant executive action, legislation and legislative committee proceedings, and court proceedings relevant to this question in the United States. The principal value of this *Digest* will be as a source book for those who will, it is hoped, make further analytical studies of the entire subject.

Mention is also made of the microfilm records of 23 conspicuous trials concerning Communists in the United States. The Library of Congress is fortunate in being one of nine libraries selected by the Fund

for the Republic for deposit of the records of these important trials.

British Commonwealth and Empire

The high-water mark in British legal acquisitions for the year was set by a remarkably fine copy of the earliest edition of the *Natura brevium*, printed by Richard Pynson in London about 1494. (See illustration.) This is recorded as T79 in Beale's *Bibliography of Early English Law Books*. Only three other copies of the incunabulum are located in this country.

The *Natura brevium* (The Nature of Writs), later called the "old" *Natura brevium* to distinguish it from Sir Anthony Fitzherbert's collection bearing the same title, which was published in 1534, was compiled by an unknown English practitioner during the reign of Edward III (1327-77). The exact date of publication has never been definitely established, but is believed to be about 1494. In a word, it is a book of writs in use in the courts, together with a commentary.

Leading English legal historians and bibliographers, past and contemporary, including Reeves, Bridgman, and Holdsworth, are agreed that the *Natura brevium* was very important in the development of the English legal system. From the late thirteenth to the early eighteenth century, the writ was an essential part of legal procedure. Plainly put, if there was no writ covering the complaint brought into court, there was no remedy. Holdsworth, in his discussion of the book in his *History of English Law* (vol. 2, p. 640), lists about 140 writs to be found in it. It is interesting to note that a number of these, including those for debt, ejectment, waste, and trespass, are still in use in the form of legal actions. This volume rightly takes its place with the limited number of legal incunabula published in England and is a fine example of early printing as well. Richard

Pynson, from whose press it issued, is generally regarded as the best printer of his day. The volume, rebound by a previous owner, is encased in a beautiful antique levant, gold-stamped binding.

Another early and important English treatise is *Le Court Leete & Court Baron*, compiled by John Kitchin, with which is bound his *Retorna brevium*, printed by R. Tottel in 1592 (Beale T373, T378). The court baron and court leet were manorial courts presided over by stewards of the hundred and manor, with jurisdiction over petty offenses and the disputes relating to land. Established in England in the sixteenth century, they were also to be found in colonial days in New York, Pennsylvania, and Maryland.

In these two treatises, Kitchin distinguishes between the court leet and the court baron and instructs the officers presiding over them, soundly advising the lords of the manor to appoint stewards as judges who were learned in the law rather than sycophants who decided cases in a manner designed to curry favor with the lord of the manor. The author was well equipped to write on these matters. He was a double reader and treasurer of Gray's Inn, one of the great centers for legal study. Readers, it may be explained, were drawn from the Benchers of the Inns of Court to give instruction to the law students. Double readers were those who were honored by being elected as Lent Readers, after having served as readers during the Summer Term. Holdsworth, referring to Kitchin, attributes to him and his famous contemporary Coke "the enunciation of the rules of modern law" and "legal and historical theories, the soundness of which was considered by many generations of lawyers and historians to be as incontestable as their statements of law."

In the 1953 report mention was made of the survey of the British legal collection representing British colonies, protectorates,

and possessions, particularly with reference to main and subsidiary legislation, undertaken by Mr. K. Howard Drake, Secretary and Librarian of the Institute of Advanced Legal Studies of the University of London. As a result of this survey, a list of items missing from the collection was compiled and sent to a London dealer, who located a surprising number of volumes which are rarely offered and difficult to obtain through normal channels. Copies of miscellaneous main and subsidiary legislation for a variety of years were obtained for 31 different colonies and protectorates, totaling over 250 pieces. These additions are extremely valuable in rounding out the collection of basic British colonial legislation. Just one example will serve to illustrate the practical results of this effort. Normally the bulk of legislation for British colonial and protectorate areas is obtained through international exchange. Such material is usually printed in small editions, and if any new collection of laws or regulations is not secured within a short time after publication it is very difficult to obtain later. For this reason it was fortunate to secure *The Laws of the British Solomon Islands Protectorate*, in two volumes, published at Suva (Fiji) in 1950, consisting of the King's Regulations and subsidiary legislation enacted under them. It is the first attempt to effect such a consolidation since the establishment of the protectorate. Much of the material in it has become increasingly difficult to locate, not only because of passage of time but also because of loss and destruction of records in military action.

Two important legal periodicals which made their appearance in England during the year have been added to the collections.

The editors of the *British Journal of Administrative Law*, recognizing the importance of this branch of the law, introduce the first number (May 1954) with

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these words: "This journal will deal with Administrative Law—with the complex system of rules, regulations and case law applied by a non-coherent conglomeration of Courts which has developed in the British Isles in the course of the last few decades." In the first issue of this quarterly, leading articles are supplemented by brief reports of administrative bodies.

The other legal journal is the *Criminal Law Review*, edited by John Burke and Peter Allsop, who write in the first issue (January 1954): "The purpose of publishing *The Criminal Law Review* is to put into the hands of all those interested in the practice and administration of the criminal law a monthly periodical which will cover every aspect of the subject in detail. . . . The scope of the Review is not wholly confined to criminal law: it includes practice and procedure, both in the courts and outside them, and it embraces criminology and penology in so far as those sciences are of direct interest to those whose duty is to administer the law."

Latin America, Spain, and Portugal

An interesting sixteenth-century acquisition is a copy of *Alegación en derecho en favor de Don Pedro Ponce de León, sobre el negocio de Baylen* (Madrid, 1594). It contains four pleadings by the attorneys for Pedro Ponce de León, as defendant in a testamentary suit brought by his relatives to deprive him of estates in Baylen, Andalusía, claiming that Ponce de León's father was a heretic and that he, therefore, could have no right to succession to the estates. Apparently this is not the complete record of the defense, since the British Museum Catalog (No. 5383aaa(1)) describes the same book as containing seven pleadings and the final judgment.

Also of interest, both historically and legally, is a copy (Córdoba, 1713) of the

royal dispatch in which King Philip V of Spain renounced any claim, on his own behalf and on that of all of his descendants and successors, to the throne of France through the House of Savoy, and in return the princes of French blood would have no right of succession to the Spanish throne, nor would members of the House of Austria. This renunciation was made on the eve of peace overtures with France and England, in order to create a balance of power in Europe.

A clear and complete copy of a book of judicial forms as used in Aragón in the sixteenth century is another acquisition of note. The title of this work by Pedro Molinos is *Libro de la práctica iudiciaria del Reyno de Aragon* (Zaragoza, Pedro Sánchez de Ezpeleta, 1575). The forms are in the customary Latin, but the compiler's notes and instructions, which are inserted throughout the volume, are given in the Spanish language in smaller type.

It would be difficult to find another single work acquired during the year which was more welcome than the 8-volume *Laws of Puerto Rico Annotated*, issued during 1954-55 by Equity House of Stony Brook, Long Island, N. Y. Since the majority of codes and basic laws were originally enacted 20 or more years ago, and no current compilations or revisions had been published, it had always been necessary to consult every volume of session laws to be sure of having complete information. The editors of this new compilation have incorporated all basic codes and laws, with amendments and additions through 1954, in a scholarly and well-documented work.

Also very useful are additional volumes in the series of tax services in English translation, issued by the Foreign Tax Law Association in New York. During 1954-55 looseleaf services for Costa Rica, the Dominican Republic, Honduras, Panama, Peru, and Spain made their appearance.

Efforts to fill gaps in files of serials and periodicals continued to be made. Two long runs which were received merit attention: Portuguese session laws covering the years 1877-1902, and 1927-37, in 69 volumes, and a legal periodical containing laws and cases of the State of Minas Gerais, Brazil, for the years 1942-46 and 1949-51.

A number of new law reviews were launched in 1953 and 1954. The Guatemalan Association of International Law, created in late 1953, began publishing its organ on an annual basis. The first issue of this *Revista de la Asociación Guatemalteca de Derecho Internacional*, which made its appearance in January 1954, contains articles on the United Nations, aggression, sovereignty, codification of international law, and related topics. It also has sections devoted to texts of international documentation, book reviews, and news in the international field.

The law schools in Venezuela, Ecuador, Cuba, and Guatemala also began issuing new law reviews. Their titles, respectively, are *Revista de la Facultad de Derecho* (Caracas, no. 1, 1954); *Revista de la Facultad de Jurisprudencia y Ciencias Sociales de la Universidad de Cuenca* (Año 1, no. 1, June 1954); *Ciencias Sociales y Derecho Publico* (Havana, año 1, no. 1, Feb. 1953); and *El Derecho; Órgano de la Asociación de Estudiantes, Facultad de Ciencias Jurídicas y Sociales de la Universidad de San Carlos* (Año 1, no. 1, July/Sept. 1953. Quarterly).

Although the bar association of Mexico was already using the title *El Foro* for its official monthly publication, a recently constituted lawyers' organization has employed a very similar title and format for its new organ, *Foro de México*. In April 1953 the Centro de Investigaciones y Trabajos Jurídicos began publishing this highly professional periodical, which is edited under the direction of the well-known jurist, Dr. Eduardo Pallarés.

European Countries

HOLY ROMAN EMPIRE

One item acquired, the *Landtfrid durch Kayser Carol den funfften: vff dem Reichstag zu Worms. Anno. Muc.xxj. auffgericht* (Mainz, Johann Schöffner, 1521), is an enactment closely linked to the events and times of the early Holy Roman Empire. The *Landfrieden*, also called *Landfriedensordnungen* or *Landfriedensgesetze*, were peace laws or peace pacts usually decreed by imperial mandate and covenanted, or sworn to, by the magnates and leading princes of the Empire, and in turn affirmed by oath of their own subjects. They are among the most important legal documents of the medieval German period and their significance cannot be grasped unless viewed in the setting of the times.

Towards the end of the ninth century the Carolingian Empire went into its decline and with it the central government authority which had for so long maintained law and order in the German lands. During the tenth century the legislation of Charlemagne and his successors, and the traditional folklaws of the Germanic tribes, fell into disuse, and they had become almost completely forgotten in the following century. In the period from the tenth to the twelfth centuries almost no new law was enacted. The people were governed, if at all, by the customary law that had survived in the various lands.²

At the same time a period of unrest and unspeakable lawlessness came upon the German people. Crime and wickedness spread throughout the country, fed mainly by the strife of private feuds. Since early Germanic times certain forms of self-help and self-redress for wrongs committed had been legal. But these rights could be exercised only within certain limits permitted

² Richard Schröder, *Lehrbuch der deutschen Rechtsgeschichte*, 5th ed. (Leipzig, 1907), p. 663 ff.

by law. Now, however, as the central authority of the Carolingians was crumbling, the courts were unable to give effective, speedy redress, and men everywhere took the law into their own hands. In particular, the professional warriors of the knight-hood were quick to feel a wrong and mete out whatever punishment they thought the event warranted. Unlawful self-help led to excessive self-defense. Multiplying senselessly, the interplay of wrong and revenge spread violence throughout the entire population. Bands of robber barons, made up of the dregs of a nobility debased by the wars, began to roam the countryside pillaging, killing, and openly flaunting the authorities that sought to maintain some order. In whole sections of the country trade became paralyzed, fields were left untilled for fear of the marauders, travelers were no longer safe on their journeys; and even in the fortified castles men, women, and children lived in fear of the murderous hordes. It was a time when "robbery, way-laying, capture, killing, and the destruction of property by fire seem to have been permissible."³

At that point, the Church and the secular authorities adopted new measures to stem this tide of lawlessness. In 1031 Church authorities established the Peace, or Truce, of God (*Pax Dei, Treuga Dei*) in France, whence it was also introduced into Germany. It prohibited all feuding outright on certain days of the week, at feasts and during certain seasons of the year, and fixed certain classes of persons who were to enjoy continuous peace.

Then, under the reign of Henry IV (1050-1106) the secular authorities enacted the first of the *Landfrieden*. It sought to restrain illegal feuding by prescribing certain conditions which had to be complied with before a feud could be

undertaken. A party wronged had to appeal to a court and, failing to receive proper redress, he had to announce the feud to the opponent three days in advance before he could go on the path of private vengeance. Certain objects, such as churches, dwellings, mills, farm implements in the fields, the king's highway, and the interiors of villages and towns, and certain persons, such as the clergy, women, traveling merchants, Jews, field workers, and hunters and fishermen in the exercise of their trade were protected at all times against any violent attack, even in a lawful feud. An unlawful feud was a breach of the peace and entailed severe penalties, such as heavy fines, loss of life, or cutting-off of the hand.

The first of the *Landfrieden* of outstanding importance was promulgated in the Diet at Mainz in 1235, and it was the first imperial law to appear in the German language. By that time this peace legislation had developed into a type of criminal, and even general, code. It became, indeed, the source from which sprang the imperial and land legislation.

Progress, however, was slow in curbing the evils, and in some measure this was due to the fact that each of the *Landfrieden* was limited to periods of short duration. Not until 1495 was it possible to establish a perpetual peace statute (which the *Pax Dei* had been from the very beginning) and it was decreed in the Imperial Diet in Worms by Maximilian I. This statute prohibited all forms of feuding and self-help in the redress of wrongs and directed the subjects to appeal to the courts under penalty of being declared outlaws, which would strip them of all protection of life or property. But even this perpetual peace fell short of the goal, and it had to be reissued several times during the sixteenth century with amendments and additions. In the end, much of what was gained through the *Landfrieden* was lost in the religious wars of the sixteenth century.

³ Carl L. von Bar, *A History of Continental Criminal Law* (Boston, 1916), p. 98.

The example of *Landfrieden* acquired (see illustration) is the peace statute enacted by Emperor Charles V at the Imperial Diet in Worms in 1521. It contains substantial additions to the text of the *Landfrieden* as enacted by Emperor Maximilian in 1495.⁴ The edition acquired apparently is of a printing other than the first; this fact is indicated by the addition of a small "c" after the "v" in the date on the title page. In other respects the copy acquired is almost identical with the first printing. The verso of the title page contains a grant of the printing privilege to Johann Schöffner for three years. The title page depicts some of the objects and persons protected under the terms of the *Landfrieden*.

EARLY MARITIME LAW

An outstanding acquisition is *Capituli et ordinatione di mare e di mercantie*, an Italian edition of the Consulate of the Sea, bearing the imprint "Rome, Ant. de Bladi de Asola, ad instantia de Jacobo Gelli da Parpignano, 10 June 1519." (See illustration.) The Consulate of the Sea (its proper title is "The Book of the Consulate," since in its original Catalan version the title was "Lo Libre de Consolat") is a collection of maritime customs and ordinances which was printed at Barcelona in the last decade of the fifteenth century. It embraced a great number of rules of law which were followed, in the maritime cities along the Mediterranean coast, by the commercial judges, known generally as "consuls."

The Consulate of the Sea was one of the most important monuments of maritime (admiralty) law, and was followed for many centuries by various nations. In the words of Casaregi, it became a "universal customary law commonly accepted by all

provinces and nations" ("universalis consuetudo communiter apud omnes provincias et nationes").⁵ It not only reproduced the maritime usage of all the Mediterranean ports but was also the first attempt at a systematic exposition of the entire field of maritime law at its peak.

The Consulate of the Sea was of importance not only for the development of maritime law in the civil law countries, but also for Anglo-American law. It forms the larger portion of the Black Book of the Admiralty, an early English manuscript which was a source of admiralty law in England. Sir Travers Twiss, in his introduction to the printed edition of this book, characterizes its importance in this respect in the following words: ⁶

Both of the great judges above mentioned [Lord Stowell and Lord Mansfield] treat the Consulate of the Sea as a most valuable body of maritime law, which had been commonly received in Europe and which was at the same time conformable to reason and to equity. Chancellor Kent in a similar manner, in his Commentaries on American Law (Vol. III, p. 10), describes the Consolato del Mare as containing the common law of the commercial powers of Europe, and as the most authentic and most venerable monument extant of the commercial usages of the middle ages.

The earliest edition of the work was printed at Barcelona in 1494. Antonio Capmany, in his *Código de las costumbres marítimas de Barcelona* (Madrid, 1791), states that there was a prior edition of the Consulate of the Sea, printed in semi-Gothic characters, which he believed to have been before 1484. Its existence is questionable, however, and the edition of 1494 is regarded by eminent scholars as the *editio princeps*. The only known copy of this edition is in the Bibliothèque Nationale in Paris.

⁵ *Nuovo digesto italiano*, Vol. III (Torino, 1938), p. 948, 1008.

⁶ *Monumenta juridica. The Black Book of the Admiralty*, edited by Travers Twiss, Vol. III (London, 1874), p. xxvi-xxvii.

⁴ The additions are shown in *Deutsche Reichstagsakten jüngere Reihe*, Vol. II (Gotha, 1896), p. 315.



Title page of LANDFRIEDENSORDNUNG promulgated by Emperor Charles V in 1521 (Mainz, 1521).



Title page of the first Italian edition (Rome, 1519) of the CONSULATE OF THE SEA.

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The edition of 1519 acquired by the Library is the first Italian edition of the Consulate and it seems to have been unknown to specialists who studied the history of this famous book. Its existence was ascertained rather recently. Thus, in the 1827 edition of Émérigon, the Venice 1566 edition is evidently considered to be the first Italian edition; and in 1831 Pardessus indicated the Venice 1549 edition to be the first.⁷ Sciolla in 1934 established the 1519 edition to be the genuine first Italian edition.⁸

The particular value of this edition lies in the fact that it contains an exact translation of the earliest Barcelona editions chapter by chapter, and it also contains the list of acceptations of this code, beginning with Rome in 1075, followed by Majorca, Pisa, Acre, Marseille, Almeria, Genoa, and others, down to 1270.

Bulgaria⁹

Several official and semiofficial publications containing statutory material, court decisions, and related material have continued to reach the Law Library without interruption. The most important titles are: *Izvestiia na Presidiuma na Narodnoto Sŭbranie*, the official law gazette, which now has a table of contents arranged according to the issuing agency; *Sbornik postanovleniia i rasporezhvaniia na Ministerstviia Sŭvet*, the official monthly collection of decrees and resolutions of the Council of Ministers; *Sotsialisticheskovo pravo* (Socialist Law), the monthly official periodical of the

Ministry of Justice and the Chief Government Attorney's Office, which contains digests of Supreme Court decisions and articles on legal problems; and *Otechestven front*, the daily organ of the National Council of the Fatherland Front and the Presidium of the National Assembly, which frequently promulgates edicts of the Presidium not published elsewhere. In addition to these publications the Library is now receiving *Bŭlgarska Akademiia na Naukite, Izvestiia na Ikonomichestkiia i Pravniia Instituti, seriia pravni nauki*, the legal series of the bulletin of the Economic and Legal Institutes at the Bulgarian Academy of Sciences.

Some of the significant developments disclosed by these publications apply to the lawmaking machinery of the state. Since its election on December 20, 1953, the Second National Assembly has held two extraordinary sessions (January 14 and April 8, 1954) and three regular sessions (February 1 and November 1, 1954, and February 1, 1955) during which it passed only seven laws. Two of them concerned the budgets for 1954 and 1955 (February 9, 1954, and February 8, 1955); one dealt with the government economic plan (April 13, 1954); one was for the creation of a Ministry of Culture (February 9, 1954) and the remaining three approved the edicts and resolutions issued by the Presidium of the National Assembly (April 13 and November 5, 1954, and February 8, 1955).

The National Assembly also passed several resolutions dealing with certain changes in the Council of Ministers, the Presidium of the National Assembly, and the Supreme Court of the Republic. Mention should be made here of the fact that the government economic plan for 1955 was approved for the first time by edict of the Presidium of the National Assembly, while, on the other hand, the National Assembly began to approve the

⁷ Balthazard M. Émérigon, *Traité des assurances et des contrats à la grosse* (Rennes, 1827), Vol. I, p. vi; Jean Marie Pardessus, *Collection de lois maritimes antérieures au xviie siècle*, Vol. II (Paris, 1831), p. 41.

⁸ *Atti del Convegno internazionale di studi storici del diritto marittimo medioevale*, Vol. I (Naples, 1934), p. 329.

⁹ Unless otherwise stated, the publications mentioned in this section were issued in Sofia.

edicts of the Presidium by law instead of by resolution, a practice contrary to previous usage.

The Presidium of the National Assembly, acting as a supreme legislative agency, has issued a great number of edicts, the more important of which deal with the following: repeal of the edict concerning church farms (February 9, 1954); compulsory labor service (March 30, 1954); bylaws of the Government Insurance Institute (March 26, 1954); measures to stimulate and support the construction of cooperative and individual dwellings (April 6, 1954); regulation of domestic trade (July 2, 1954); inventions (November 30, 1954); postal, telegraphic, telephone, and radio communications (December 10, 1954); cessation of the state of war and restoration of peaceful relations between Bulgaria and Germany (March 4, 1955); and the people's militia (March 29, 1955).

A Resolution of the Council of Ministers (January 15, 1954) revised the Standard Charter of a Cooperative Farm, introducing substantial changes in the organization of the Bulgarian *kolkhozes* and bringing them closer to the Soviet type of farming.

During 1953 the treaties of judicial assistance in civil and criminal matters between Bulgaria and Hungary and between Bulgaria and Czechoslovakia were ratified and their texts published in the Bulgarian official gazette in the languages of the countries concerned on May 11 and August 27, 1954. The Geneva Conventions for the Protection of Victims of the War, of August 12, 1949, and the Brussels international acts accepted by the Thirteenth Universal Postal Union of July 11, 1952, were ratified on May 28 and August 27, 1954.

In the field of legal studies and monographs original works are very few in number. During the last year most of the items listed in the Bulgarian monthly biblio-

graphic bulletin, *Bŭlgarski knigopis*, which has a special section on law and government, were Soviet treatises and texts translated into Bulgarian.

In addition to two earlier indexes covering legislation enacted from the time of the liberation of Bulgaria in 1878 through December 31, 1949, the Library acquired another one, compiled by Khr. Maksimov and Gr. A. Koshev, which covers the period from January 1, 1950, to December 31, 1951: *Ukazatel na zakonite, naredbite, pravilnitsite, ministerskite postanovleniia i dr., obnarodvani v "Dŭrzhaven Vestnik" i v "Izvestiia" ot 1 ianuari 1950 do 31 de-kemvri 1951 g.* (1952).

Among the treatises and textbooks received which were published in Bulgaria is a revised and enlarged edition of Naïden Chakurov's *Uchilishtno zakonodatelstvo* (1950), first published in 1949. This is a mimeographed textbook for law students in which the author discusses the changes introduced in the educational system after the establishment of the present regime. A monograph by Angel Angelov, *Obezpechenie na zakonnostta v dŭrzhavnoto upravlenie na Narodna Republika Bŭlgariia* (1952), published under the auspices of the Bulgarian Academy of Sciences, deals with the enforcement of "socialist legality" in the People's Republic. In the field of tax law, Zlati Zlatev's *Narŭchnik po zakona za danŭka vŭrkhu obshtia dokhod* (1948) is worthy of mention. It treats of the taxation policy employed by the present government from the time of its coming to power until the adoption of the Dimitrov Constitution.

Among acquisitions relating to Bulgarian law prior to World War II is the valuable *Almanakh na Bŭlgarskata konstitutsiia* (Provdiv, 1911) which presents a comprehensive history of the drafting and adoption of the Tirnovo Constitution of 1879 and all its amendments, accompanied by a large number of documents in their origi-

nal languages. This work, published by Petur G. Bakalov, also contains the full texts of the Treaty of San Stefano and the Treaty of Berlin of 1878, which marked the liberation of the Bulgarian people and the actual organization of the Bulgarian state. An interesting feature of the *Almanakh* is that it includes portraits of 1,200 Bulgarian statesmen, cabinet ministers, party leaders, members of the Grand National Assemblies, deputies of national assemblies, and other prominent persons whose activities were closely connected with the establishment of the Third Bulgarian Kingdom and its first three decades of existence.

The Library has also received two volumes of *Sbornik ot tulkuvatelni resheniia na Vŭrkhovniia Kasatsionen Sŭd po Tŭrgovskiia Zakon* (1943-44), a collection of decisions of the Supreme Court of Cassation interpreting the provisions of the Commercial Code of 1897, as amended. The Commercial Code was first partially repealed by the present government on November 22, 1950, and then in its entirety on September 28, 1951. This collection, compiled by Sevdalin Penchev, contains the text of the Code and references to literature on the subject.

Dora Mustakova's *Chekŭt kato vŭtreshno i mezhdunarodno platezhno sriedstvo* (1939) is a comprehensive monograph dealing with the check as a domestic and international means of payment.

Czechoslovakia¹⁰

EARLY LAW BOOKS

The development of law in the Kingdom of Bohemia attained its peak in the sixteenth century when the so-called Codes of Laws of the Land (*Zřízení zemská*) and the Municipal Codes (*Práva městská*)

were compiled and enacted. These codes were based on the decisions of the Bohemian Diet and of the Court of Bohemia which were entered in the Records of the Land, and on earlier legal compilations, among which the work of Viktorin Kornel ze Všehrd, *O praviech země české knihy devatery* (Nine Books on the Laws of the Land of Bohemia), is the most famous. It was concluded in 1499 and represents the most complete collection of laws of that time. Všehrd inserted in his work a number of royal decrees and decisions of the Bohemian Diet and courts. He thus preserved many important legal texts which otherwise would have been lost because the Records of the Land of Bohemia were destroyed by fire in 1541. These legal sources were arranged by him in his own expert manner, and he not only reproduced the old Czech laws, but also analyzed them and tried to fill the gaps. Czech scholars consider Všehrd the greatest Czech legal mind of the sixteenth century. The most important society of Czechoslovak jurists, originally founded in 1868, was named after him.

Všehrd began to write his book in 1495 and finished it in 1499. He dedicated and presented it to the Lords of Postupice, his protectors, without intending to publish it, but later he changed his mind. Between 1502 and 1508 he made a revision of the original text, supplemented it in several places, omitted certain passages which offended the nobles, and dedicated the revised text to King Vladislav I. He declared that only the revised text should be considered authentic and be accessible to everybody interested. Thus two versions of the book came into being, the original version (1499) and the revised one (1508). The work was copied, but not printed at that time. It was not printed because, as the Czech historian František Palacký explains, the book was compiled at a time when the strife between the nobles and the burghers

¹⁰ Unless otherwise stated, the publications mentioned in this section were issued in Prague.

was at its height, and Všehrd, who supported the rights of towns, was in disfavor with the nobles.

The Library has acquired one of the manuscripts of Všehrd's book, written in 1504, *i. e.*, sometime between the original version of 1499 and the completion of the revised version in 1508. The manuscript is close to the revised version but shows numerous divergences from it. It thus represents a third, intermediary, text. The existence of this version was noted by the eminent Czech lawyer Antonín Randa in *Slovník naučný*, edited by Fr. L. Rieger, Vol. 9 (1872), p. 1308.

The printed editions of Všehrd's book appeared in the nineteenth century and followed the revised version. This alone was reproduced by Hanka in 1841. The edition by Hermenegild Jireček in his set *Codex juris Bohemici*, Vol. III (1874), Part 3, reproduced the revised version with indications of departures from the original one. The intermediate text found in the Library's manuscript apparently has never appeared in print.

The Codes of Law of the Land of Bohemia, which represent the summit of development of early Czech law, were received, even in Germany, with great interest. This is plain from the fact that the Code of Laws of the Land of 1564 was translated and published in Germany in 1604 and again in 1617. The Library possesses a copy of the edition of 1617, published in Leipzig by Henning Grossen, and it has now acquired a copy of the first German edition of 1604, published in Frankfurt on the Main by Johann Spiess under the title *Beheimische Land Ordnung*. The volume includes also *Beheimische Chronica*, a short history of Bohemia by Georg Beatus, and *Neue Cronica des Hertzogthumbs Ober und Nieder Schlesien*, a voluminous history of Silesia by Joachim Curaeus, in a German translation.

In the feudal system of the Kingdom of Bohemia the Bishops of Olomouc (Moravia) had a privileged position. Their feudal organization was founded by Bishop Bruno (1245–81), who distributed fiefs from the Church lands to the nobles who undertook the obligations of vassals. Bruno's successors developed this organization further, and in 1408 it was able to count more than 80 vassals. The organization was confirmed by King Přemysl II (1230?–78). Such confirmation was necessary since, in the last analysis, all the land of the kingdom, even that of the Church, was held by the king. At the same time (1274) the king conferred on the Bishops of Olomouc the right to establish a special court with jurisdiction over their vassals. A code of vassals' rights was published under the title *Práva manská* in 1538, for the use of this court. A copy was acquired by the Library. The *Práva manská* code is not a product of Czech legal thought, as other Czech laws of this period were; it represents a translation of Swabian feudal laws. However, this publication has great importance in showing to what extent the Swabian laws on fiefs were applied in the Kingdom of Bohemia. In addition to the *Práva manská*, the volume contains those provisions of the law of the land of Moravia which in some way were affected by the code of vassals' rights.

Important codes which were enacted in the Austrian Empire during the reign of Maria Theresa and Joseph II were published not only in German but also in Czech. One of the most important of these codes was the *Constitutio criminalis Theresiana* of 1768, which established a unified criminal law, substantive as well as procedural, for all lands of the Austrian Empire. Up to that time they had had separate criminal laws. The Library has acquired a copy of the Czech edition of the Code, published in Vienna in 1769.

CURRENT MATERIAL

Current Czechoslovak legislation has been received somewhat irregularly in the past year. The official collection of laws, *Sbírka zákonů*, and the official gazette, *Úřední list*, have often been delayed in transit. A survey shows that the legislative activity of the National Assembly declined noticeably in comparison with the year before. Among the new enactments is Law No. 27 of May 26, 1954, which introduced vast changes in the country's electoral system. It abandoned the principle of proportional representation which had been in force since 1920; and it made provision for the National Front, an organization composed of the Communist Party, other parties approved by the regime, and certain mass organizations, to nominate the candidates and to recommend the staffs of the electoral commissions which supervise the elections and tabulate the ballots. On December 14 the newly elected Czechoslovak National Assembly enacted new rules on parliamentary procedure. In some respects these rules were obviously designed further to strengthen party control by the single National Front.

In other fields, a Decree of May 7, 1954, put all archival matters under the jurisdiction of the Ministry of the Interior, established a United States Archival Fund to direct all archives, and made provision for a Scientific Archival Council of 18 members to act in an advisory capacity on related problems. Law No. 53 of October 27, 1954, on People's Cooperatives and Organizations of Cooperatives completed the Communist legislation on cooperative associations. This legislation had been initiated by Law No. 181 of July 20, 1948, providing for reorganization of credit cooperatives, and continued by Law No. 69 of February 23, 1949, on agricultural cooperatives. Law No. 53 provides for a new organization of nonagricultural cooperatives and their unions, an organization

which facilitates their integration in the planned economy and secures tight governmental control. Finally, by proclamation of the Minister of Foreign Affairs of December 15, 1954, the Geneva Conventions for the Protection of Victims of the War, of August 12, 1949, as ratified by the Czechoslovak Republic, were published.

Among Czechoslovak legal periodicals the two leading serials, *Právník* in Czech, and *Právny obzor* in Slovak, have been received regularly. The Library secured three legal periodicals published in Prague: *Sbírka rozhodnutí československých soudů*, issued 10 times a year by the Supreme Court, containing its decisions in penal and civil matters; *Soudce z lidu*, a monthly issued by the Judicial Institute of the Ministry of Justice, which publishes valuable directions on law for the needs of jurors and discussions on legal problems for popular understanding; and *Národní výbory*, a weekly issued by the Bureau of the Board of Ministers and dedicated to functionaries and employees of peoples' committees, which has articles on local government, its organization, administration, and related matters. Each issue contains a brief outline of current laws, decrees and directives.

Several treatises and textbooks of particular importance on the new Civil and Penal Codes, published by the Juridical Institute of the Ministry of Justice (*Právnícký Ustav Ministerstva Spravedlnosti*), have been received. One, entitled *Učebnice občanského a rodinného práva* (1953-54) is a projected 3-volume work of which the second is still in preparation. The first has a section dealing with civil law in general, its history and sources, rights of representation, power of attorney, statute of limitation, and related subjects; and another which covers property rights, *i. e.*, the meaning of ownership, its acquisition, protection, and loss, together with the new socialist form of ownership, state so-

cialist ownership, nationalization, confiscation, state management, cooperative socialist ownership, and personal ownership. The third volume concerns inheritance and domestic relations. Another work, *Trestní řád a předpisy související* (1953), contains a commentary on new penal legislation, criminal courts, government attorneys, experts, translators, judicial relations with foreign countries, the recording of sentences, travel expenses of witnesses, and the like. *Trestný poriadok a předpisy s ním súvisiace*, published by *Slovenské vydavateľstvo politickej literatúry* (Bratislava, 1953), is a Slovak version of the foregoing treatise.

Legal aspects of the political and administrative organization of the country are dealt with in a collective treatise whose authors are scholars of the law school of Charles University in Prague: *Československé státní právo* (1953). It contains a systematic exposition of the system of socialist state structure (state organization, fundamental rights and duties of citizens in a socialist state, citizenship, nationalities in Czechoslovakia, and the like). *O právu a jeho tvorbu* (1951) is a symposium of lectures given in educational courses for lawyers working in law-drafting agencies. It contains interpretations by socialist scholars of certain basic legal principles involved in international policy and law, private and public law, ownership, codification, and legislative practice.

Several legal monographs furnish interesting information on the new socialist legal system and its application in the country. Alois Neuman's *Nový právní řád v lidové demokracii* (3d ed., 1953) is a short treatise on the Constitution and on economic planning, nationalization, the organization of the economic administration, agriculture, the people's democratic system, health, labor law, transportation, school and education, taxation, the judiciary, and the codification of law. The first volume of Miro-

slav Cihlář's *K vývoji státní správy v ČSR* contains a historical survey of political organization and administration in the Czech and Slovak lands within the former Austro-Hungarian Empire as well as of the development of the political structure of the Czechoslovak Republic, and the struggle of Communist movements against the "bourgeois" Czechoslovak state. Jindřich Veselý's *O vzniku a založení KSČ* (2d ed., 1953) supplements the political picture of Czechoslovakia with a treatise on the origin and foundation of the Communist Party of Czechoslovakia.

Hungary¹¹

In 1953 and 1954 the Hungarian Government experimented with a system of confidential legislation, that is to say, of issuing enactments that were available not to the general public but only to trusted officials. Consequently the official gazette, *Magyar közlöny*, which is the main source for legislation, did not reach the Library. Apparently this experiment failed and the old Roman law principle "lex non promulgata non obligat" prevailed, because the Government issued a new general regulation (Edict 1954: 26.tvr) on the publication of laws and statutes, explicitly stating that legal provisions affecting the rights, duties, and obligations of citizens may no longer be issued in the form of ministerial (executive) orders which are not available to the general public. As a direct result of this new regulation, the Library once more is receiving *Magyar közlöny* regularly, and it was able to obtain the *Törvények és rendeletek hivatalos gyűjteménye* (Official Collection of Laws and Decrees) for the years 1952 and 1953.

The reconstruction of the country from the ruins of World War II quite naturally caused an increased output of legislation.

¹¹ Unless otherwise stated, the publications mentioned in this section were issued in Budapest.

By far the greater part of the legislation of the last decade, however, has been enacted in an effort to wipe out the previous legal order and to establish the Communist state, or People's Democracy, as Hungary calls herself. Definite and purposeful attempts were made to organize this conglomerate of legal material, and they resulted in collections and comprehensive textbooks on certain topics which were published by government agencies.

The outstanding official compilations are the *A büntető perrendtartás* (Code of Criminal Procedure) and *A polgári perrendtartás* (Code of Civil Procedure), both edited by the Ministry of Justice, and published in Budapest in 1954 by the Jogi és Államigazgatási Könyv- és Folyóiratkiadó. The former contains the new version of the Code of Criminal Procedure (Law No. III of 1951) as amended by Law No. V of 1954, and independent statutes issued in order to put its provisions into effect. It also includes provisions for the treatment of juvenile criminals and regulations governing the employment of official expert witnesses in criminal proceedings, a fact which is all the more important because these were issued in the year 1954, when the official gazette was still a confidential publication. Consequently this is the only source available for this material.

The Code of Criminal Procedure carries the mark of Russian influence, and Hungarian commentators enthusiastically admit that, although the makers of the Code, as originally enacted, "unquestionably learned quite a lot, and especially the basic principles, from Soviet law," nevertheless the overhaul of the Code of Criminal Procedure was "predominantly motivated by the more careful, thorough, and intensive study of Soviet law" (*Jogtudományi közlöny*, 1954, p. 277). In fact, Hungarian criminal procedure closely follows Soviet law. This is apparent from such characteristic institutions as the employment of

people's assessors and individuals on the bench without any formal legal training, or the discarding of the time-honored principles of *res judicata* and double jeopardy by empowering the public prosecutor to protest against any judgment and move for a new trial even if the judgment has already become final.

The other compilation, *A polgári perrendtartás*, is even more extensive. Half of the work presents the Code of Civil Procedure as amended by Law No. VI of 1954, and edicts issued to enforce the provisions of the Code. The other half contains a series of decrees issued in the critical year 1954, when confidential legislation was being enacted, and dealing with such topics as official expert witnesses (44/1954.M.T.), settlement of jurisdictional controversies between courts, arbitration boards, and government agencies (1/1954.I.M.), probate courts and practice (38/1954.I.M.), the application of the rules of civil procedure in litigation between government-owned enterprises involving contracts in which the Government is a party of interest (41/1954.I.M.), and procedure before notaries public.

One of the textbooks received, *A magyar államigazgatási jog alapjai. Általános rész* (1953), was written by a group of lawyers for use in the Tanácsakadémia, the school in which future officials of the Communist government on a municipal level are educated. The book presents a concise and clear outline of the organs of the state and their jurisdiction, the civil service, proceedings before government agencies, proprietary functions of the state and municipal organs, and the enforcement of "socialist legality."

Another textbook, *Jog ismeretek pénzügyi kiadó* (1953), issued by the Ministry of Finance, is used in the course given public accountants. Its title means "Outlines of Law," but it deals relatively briefly with general principles of law and it is primarily

devoted to three topics, the knowledge of which is important for accountants of state-owned enterprises. These are: state-owned enterprises and their organization and administration, labor law, and taxation. The value of the work is in the clear way the topics are presented, without the intrusion of Communist propaganda.

Legal bibliography has never been well developed in Hungary. This fact gives special interest to the *Jogi és államigazgatási bibliográfia* compiled by Lajos Nagy and published in 1954. It is intended to be the first of a continual (presumably yearly) publication covering legal works published in book, periodical, or pamphlet form. The material is presented according to the following subjects: general, the state and law, constitutional and administrative law, taxation, civil law, labor law, law on agriculture, cooperatives and *kolkhozes*, real property law, domestic relations, criminal law, administration of justice, international law, legal history, teaching of law, and lawyers' associations. If continued, this bibliography will be an indispensable tool for any research in the field of Hungarian law.

The Library succeeded in adding to its collections the *Bíróági Határozatok*, a monthly published by the Supreme Court of Hungary and containing current court decisions beginning with October 1953. The importance of this compilation lies in the fact that it is the only reliable source from which the decisions of Hungarian courts can be ascertained.

Italy

The *statuta municipalia*, as the compilations of Italian municipal laws and ancient customs are called, are among the most interesting sources of law in Italy for the period prior to the invasions of Napoleon, since they reflect the efforts of centuries to assert municipal self-government. Apart from their legal value, the *statuta* are

equally noteworthy because of their wealth of unique material on the social, cultural, and economic life of the Italian communities in the late Middle Ages and the Renaissance period.

A general characterization of the *statuta* is almost impossible. Some of them chiefly cover public law or judicial procedure, others contain primarily civil, commercial, or maritime law. Moreover, they originated in different historical periods and were enacted under different political circumstances. During the turbulent times of foreign invasions in the Middle Ages and the Renaissance many northern, and some central Italian cities, known as "city-states," succeeded in obtaining recognition of their independence from the German emperors and local rulers in legislating municipal laws and applying ancient customs. Some of them, like Venice, Genoa, Lucca, and others, were able to preserve it until the Napoleonic wars. Others, like Bologna, Ferrara, Florence, and Parma, lost their independence during the fifteenth and sixteenth centuries; but their *statuta* did not immediately cease to be important as legal sources, especially in civil and commercial law, since their new masters (dukes or republics) often confirmed, with or without fundamental changes, the existing compilations of municipal laws and ancient customs. In southern and partly in central Italy, where the "city-states" never achieved full or lasting status, the *statuta* originated through the practice by the central authorities of granting and reaffirming charters and privileges, or confirming medieval laws and feudal rights in order to appease powerful barons, big city populations, or the flourishing middle classes. This group, as well as the reaffirmed *statuta* of the former "city-states," lost their significance with the rise of monarchical absolutism at the end of the seventeenth and during the eighteenth centuries.

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Among the *statuta* purchased during the year the following are worthy of special mention: Bologna. *Statuta civilia et criminalia civitatis Bononiae . . . edidit comes Philippus Carolus Saccus* (2 vols., Bologna, 1735-37); Lucca. *Capitula observanda per . . . praetorem et iudices Rotae* (Lucca, 1759); Modena. *Libro delle provisioni, decreti, instrumenti, gratie, ordini, ragioni et altre cose degne di memoria per beneficio della magnifica citta di Modona* (Modena, 1578); March of Ancona. *Constitutiones marchiae anconitanae noviter emendatae; cum additionibus novissimis . . .* (Forlì, 1507);¹² Riviera di Salò. *Statuta criminalia et civilia magni communitalis Riperiae* (Salò, 1675); Sarzana. *Reformationes ad nonnullas rubricas statuti civitatis Sarzanae* (Genoa, 1705); Trento. *Bernardus dei gratia episcopus Tridentinus &c.* (Trento, 1707); Venice. *Volumen statutorum, legum ac iurium d. venetorum . . . studio . . . Jacob. Novello* (Venice, 1563-64); Verona. *Statutorum magnificae civitatis Veronae libri quinque* (Venice, 1744).

Poland¹³

CURRENT MATERIAL

The year 1954 marked the tenth anniversary of the end of the German occupation of Poland and, at the same time, the beginning of the present regime. To commemorate the first decade of the "new order" in the field of law, an appreciable number of publications which appeared last year are devoted to a review of past accomplishments leading toward "socialist

legality." These compilations of statutory material illustrate the means adopted to transform a Western-type democracy into a "People's Republic."

This systematic process is best seen in such sizeable publications as *Konstytucja i podstawowe akty ustawodawcze Polskiej Rzeczypospolitej Ludowej*, a chronologically arranged compilation of the basic statutory provisions enacted between 1944 and February 15, 1954. The new 1952 Constitution and the legislation which preceded it and is now being passed in its wake are outstanding among the enactments of the last decade. Specifically itemized are the pertinent legislative acts and decrees which established the system of national councils, set up a new pattern of public administration and new territorial organs of the Government, transformed the courts and prosecuting authorities upon Soviet models, and, in general, enforced the new social and economic system.

A similarly comprehensive compilation, *Radynarodowe; zbiór przepisów prawnych*, offers an insight into the maze both of statutory provisions (as of January 1, 1954) and of executive regulations and instructions which govern the mechanics of the people's councils. All particulars regarding their organization, jurisdiction, and procedure, including the various departments and sections which are entrusted with the specific tasks of personnel policy, taxation, public finance, education, health, commerce, and other affairs of public life, are brought together in one volume. In this connection it is to be noted that another reform of the administrative structure in the rural areas was enacted on September 25, 1954, together with an electoral law for the people's councils on all levels. Nationwide elections were held for the first time under the new law on December 5, 1954. Until then members of the people's councils were not elected by the population.

¹² This edition corresponds to the one described by Luigi Manzoni in his *Bibliografia degli statuti . . . dei municipi italiani*, Vol. I (Bologna, 1876), p. 16-17.

¹³ All the publications mentioned in this section, unless otherwise indicated, bear a Warsaw, 1954, imprint, and most of them are editions of the Government printing house for legal publications, Wydawnictwa Prawnicze.

Przepisy karno-administracyjne is in the same category of reference works which deal with one specific field of public law. The statutory citations and commentary cover the penal and administrative provisions and procedure which control the various aspects of national economy, i. e., industry, mining, agriculture, transportation, and the like. The organization and management of the socialized enterprises as they are now governed is given detailed treatment in *Gospodarka komunalna* and *Przewodnik pracownika administracyjno-gospodarczego*.

Though all these compilations are essentially based on the statutory provisions as promulgated in the Journal of Laws (*Dziennik ustaw*) and the Official Gazette (*Monitor polski*), which are also received separately, their chief merit lies in the fact that they offer, in addition, the implementing executive orders and departmental instructions which are less readily available. It is from these that the actual purpose and manner of enforcement of a given law are derived.

Another noteworthy group of accessions which record current legislative development and procedure are the stenographic reports of the debates of the National Assembly, *Sejm Polskiej Rzeczypospolitej Ludowej, Sprawozdanie Stenograficzne* (1952-54). They cover the five sessions of the first term of the present National Assembly as it was constituted after the promulgation of the 1952 Constitution. The sessions, each lasting two or at the most three days, are held twice a year, and have been recorded in separate folios for the period November 1952-September 1954. In all, five sessions were held in the span of these years.

The proceedings of the Assembly include the appointment of the Council of State, which now functions as a *de facto* legislative body; the enactment of statutes and the approval of decrees issued by the

Council during the recess of the Assembly; passage of the national budget for 1953 and 1954; and the amendment to the Constitution in the matter of territorial people's councils and their election.

A new publication of its kind is *Zbiór orzeczeń Najwyższego Sądu Wojskowego*, a collection of decisions of the Supreme Military Court. It is the first such edition of selected rulings by this court and offers a systematic presentation of binding directives handed down by the whole bench of justices as well as actual rulings in cases under military criminal law and procedure. It is a publication of the Ministry of National Defense and presents a record of this military jurisdiction during the years 1944-54. The collection is of significance because of the jurisdiction by military courts in cases involving civilians, which was upheld until May of this year. This special jurisdiction was only recently modified by a statute of April 5, 1955. The concept of the so-called "counter-revolutionary crimes" is stressed in its full political connotation and has been interjected into the provisions of criminal law and procedure. Likewise, the class character of the administration of justice as a whole is interlinked with the qualification of a crime and has a bearing on the form of punishment.

THE DRAFT OF THE NEW CIVIL CODE

Progress towards consolidation of the socialist order, evident in the political form of government and public administration, has not been brought about as rapidly in other fields of law. Although the prewar Criminal Code of 1932, the 1933 Code of Obligations, and the Commercial Code of 1934 are at variance with the implementing and often summary legislation enacted in 1946-47 and since that time, they continue to remain on the statute books. In actual practice, however, their application has become illusory.

From the outset the primary legislative trend was directed toward a prompt unification of law, in particular because of the territorial changes that had affected Poland (loss of eastern territories, accretions in the west). With that process accomplished, a Government resolution of September 27, 1950, declared the necessity of preparing new codes. Present developments indicate that the final phase has been entered in the liquidation of what is termed "the last vestiges of former capitalist legislation." A number of recent treatises, concurrently with discussions in legal periodicals, accentuate this problem of reform. Two such treatises are the first part of *Prawo karne Polski Ludowej*, a joint work by I. Andrejew, L. Lernell, and J. Sawicki, which deals with criminal law, and *Nowy etap przebudowy polskiego procesu cywilnego* by Jerzy Jodłowski, which is concerned with trends toward a reform of civil procedure.

The first tangible step, and by far the most important one in this evolution toward a firm codification, is the completed draft of the new Civil Code of the Polish People's Republic: *Projekt kodeksu cywilnego Rzeczypospolitej Ludowej*. This draft is the work of a special committee formed and directed by the Ministry of Justice to carry out the resolution on the codification of law. The Code is divided into four parts (*księga*): general provisions, real and personal property, contracts and torts, and inheritance law.

The draft emphasizes the new political ideology and at the same time develops in full the corresponding principles of the 1952 Constitution. Thus, socialized property enjoys special protection and a preferential status before private property; moreover, provisions on contracts between government-owned enterprises and on the legal capacity of nationalized economic units are duly incorporated in the new Civil Code. The need and purpose of the codification,

as well as the main characteristics of the Code, are at length restated in the final chapter, entitled "General Reasons for the Draft" (p. 138-60).

The admittedly Soviet concepts embodied in the new Code are most evident in the various types of ownership which are recognized and in the contrasting degrees by which such ownership is privileged: socialized ownership as the supreme form of government property; individual ownership in the sense of cooperative joint holdings; and personal ownership, which is allowed only to the extent necessary to meet individual needs. The requirements of the socialized economy are taken as the basis of all obligations, to which other types of contracts are subordinated. A novel feature is the different treatment of commercial transactions in the domestic sphere and in foreign trade. The draft takes the position that the Commercial Code, as a capitalist form of legislation, is to be abrogated altogether. Thus the provisions regulating corporations, merchants, proxies, negotiable instruments, and similar traditional legal institutions are considered without any practical value in the Poland of today and therefore redundant. But in order to accommodate the needs of foreign trade, which is now an exclusive government monopoly, the provisions of the Commercial Code are to retain their validity, solely for that purpose.

LEGAL PERIODICALS

In addition to the monthly legal periodicals *Państwo i prawo* (State and Law) and *Nowe prawo* (The New Law), which are concerned with the current problems and development of Polish law, special mention must be made of the *Journal of Juristic Papyrology*, published in English by the Polish Academy of Sciences and edited by Raphael Taubenschlag. The last issue represents a double number, consisting of two volumes (1953-54) because,

as the preface states, "by the end of this year [1954], ten years will have elapsed since the Polish Schools of Higher Education and Research Institutes renewed their activities." The first volume of the *Journal* was issued in the United States in 1946. Professor Taubenschlag returned to Poland in 1947 and the second volume appeared there in the following year. It continued to reappear by special government grants and in 1952 the Polish Academy of Sciences took over its sponsorship. Thus far eight volumes have been published, carrying contributions made not only by Polish scholars but also by scholars from 10 other countries, including the United States. Each volume contains an annual survey of papyrological literature. Some of the contributions in the volume are in English, French, and German, and they deal with the specialized subject matter of ancient Egyptian, Greek, and Roman law.

HISTORY OF LAW

The already sizeable collection of early Polish lawbooks was enhanced by the acquisition of *Jus regni Poloniae* by Mikolaj Zalasowski (2 vols., Warsaw, 1741-42). Polish law, prior to the country's partition in the eighteenth century, was characterized by a multiplicity of legal sources. Royal decrees, resolutions of the National Assembly which were called constitutions, local privileges, local customs, and the law of self-governing municipalities (named, after the German city model, Magdeburg Law) as well as other legal sources, were never officially codified. Nevertheless, a number of works, such as the one acquired, which were prepared by Polish jurists of authority, enjoyed a role tantamount to statutory law. Some of them were actually collections of statutes, with the original wording preserved, others were in the nature of compilations, commentaries, and treatises.

Stanisław Kutrzeba, a recognized authority on the sources and development of early Polish law, refers to Zalasowski's two volumes as the most "erudite and extensive" in the field of public law. Moreover, the great merit of this work lies in the analogies which the author draws between the various institutions of Polish law and those established in Roman law as well as early German and canon law, citing a wealth of sources on this subject.

The first volume of Zalasowski's work was originally published in 1700 and the second in 1702; it was later reprinted twice and the present acquisition is of the first reprint. It is in two volumes and is divided into four books. The first deals with so-called "political law," i. e., government and public administration; the second and third with private law, particularly rights *in rem*, with regard to family, inheritance law, and related matters; and the fourth with criminal law. Thus, except for procedural law, Zalasowski's work presents a comprehensive study of the whole of early Polish law. It is not merely a compilation and reprinting of statutory law, but it offers one of the first coordinated interpretations regarding the development of public law and the institutions of government in Poland. It is one of those few seventeenth- and early eighteenth-century works which give a scholarly and systematic analysis of the body of public law and it interprets the authority of the ruling sovereign and his prerogatives, as well as the rights and duties of the other social classes and estates.

The Soviet Union

Treatises predominated among the Soviet law material received during the year; statutory material was scanty. *Vedomosti*, which contains the resolutions of the Supreme Soviet and its Presidium, has arrived quite regularly, but *Sobranie postanovlenii* (Collection of Resolutions of the

Council of Ministers) has either not been published or has been withheld from distribution. So far as can be determined, no other library in America or Europe receives it and no reference to it is to be found in Soviet legal writings.

Among legal periodicals the theoretical *Sovetskoe gosudarstvo i pravo* (Soviet Law and State) has been received in a large number of copies, but the more practical *Sotsialisticheskaia Zakonnost'* (Socialist Legality), which also reports court decisions, is not being received at all and no subscriptions for it are accepted. Thus the resolutions of the Council of Ministers, which are an important source of Soviet statutory law, and the court decisions must be gathered from the general Soviet press, *Izvestiia* and *Pravda*, and from treatises. During previous years they could also be gathered from compilations on special subjects, but only one of these was received during the year, a compendium on wages by V. A. Goloshchapov entitled *Raschety s rabochimi i sluzhashchimi* (9th ed., 1954).

A 1954 edition of the Constitution of the Soviet Union was received, as well as the Civil Code of the RSFSR, with federal amendments, bringing the text up to February 1, 1954. Codes bearing a 1953 imprint with the text brought up to October 1 of that year are the Criminal Code, the Code on Marriage, Divorce, Family, and Guardianship, the Code of Criminal Procedure, and the Code of Civil Procedure.

Although the codes of laws of the individual Soviet republics are in the main identical, the numbering of their sections varies and there are some minor differences in contents. Two publications by the Office of Codification of the USSR containing comparative tables for the codes of all 16 constituent republics may be most helpful in this respect. One covers the codes of civil procedure and the other those of criminal procedure: *Sopostavitel'*-

naia tablitsa statei grazhdanskikh protsessual'nykh kodeksov soiuznykh respublik (1953) and *Sopostavitel'naia tablitsa statei ugolovno-protsessual'nykh kodeksov soiuznykh respublik* (1953).

The general theory of Soviet law and the state is the subject of several treatises written by established writers. S. N. Bratus discusses the role of Soviet law in the development of the Soviet economy in a small monograph, *O roli sovetskogo prava v razvitii proizvodstvennykh otnoshenii* (1954). A. I. Denisov and M. G. Kirichenko brought out a revised edition of their comprehensive treatise on the fundamentals of Soviet law and the state, *Osnovy sovetskogo gosudarstva i prava* (1953). Another revised edition of a similar work, edited by M. P. Kareva and G. I. Fed'kin, was also received: *Osnovy sovetskogo gosudarstva i prava* (1953). M. P. Kareva's treatise on the relation of ethics and law in a socialist society, published in Russian in 1951, appeared in Berlin in a German translation with the title *Recht und Moral in der sozialistischen Gesellschaft* (1954). The Institut für Staats- und Rechtstheorie of the University of Leipzig prepared a symposium of translations of various recent Soviet writings, mostly articles on this subject, published as *Sowjetische Beiträge zur Staats- und Rechtstheorie* (Berlin, 1953). G. I. Fed'kin published a monograph on the role of legislation in the Soviet Union, *Rol' zakonodatel'stva SSSR v osushchestvlenii osnovnykh funktsii sovetskogo gosudarstva* (1953).

The most useful contribution in English to the study of Soviet law and society in general from a non-Communist point of view is Prof. George C. Guins' *Soviet Law and Soviet Society* (The Hague, 1954). The author taught law at the Imperial University of St. Petersburg at Tomsk at the Russian law school in Kharbin and recently in California. This is his first comprehensive book in English.

A score of treatises by Soviet authors on constitutional and administrative law were among the year's acquisitions. Some of them are comprehensive in scope, others are devoted to specific problems. Among the former should be mentioned A. I. Denisov's *Konstitutsiia SSSR* (1954), V. A. Karpinskii's two works, *Osnovy obshchestvennogo i gosudarstvennogo stroia Sovetskogo Soiuza* (1954) and *Konstitutsiia SSSR* (1954), and D. L. Zlatopol'skii's discussion of the formation of the USSR as a federal state, *Obrazovanie i razvitie SSSR kak soiuznogo gosudarstva* (1954).

Two monographs deal with the rights of Soviet citizens: A. I. Lepeshkin's *Osnovnye prava i obiazannosti grazhdan SSSR* (1954) and I. A. N. Umanskii's *Velikie prava sovetских grazhdan, garantirovannye Konstitutsiei SSSR* (1954). A. I. Denisov discusses the international significance of the Soviet Constitution in *Konstitutsiia SSSR i ee mezhdunarodnoe znachenie* (1954). K. P. Gorshenin seeks to show that the Soviet Constitution is the most democratic in the world in his *Konstitutsiia SSSR—samaia demokraticeskaiia v mire* (1954). Other monographs are dedicated to more narrow topics of administrative law, such as agencies of the administration of the present period, in T. S. A. Tampil'skaia's *Organy sovet'skogo gosudarstvennogo upravleniia v sovremennyi period* (1954); permanent committees of the local Soviets, in A. V. Luzhin's *Postoiannye komissii mestnykh sovetov deputatov trudiashchikhsia* (1953); elections, in A. I. A. Vysinskii's *Izbratel'nyi zakon SSSR* (1954); and the role of public prosecution in Soviet administration, in S. G. Beresovskaia's *Prokurorskii nadzor v sovet'skom gosudarstvennom upravlenii; obshchii nadzor* (1954).

Numerous publications deal with criminal law and procedure. Two of them are devoted to the history of Soviet criminal law; one is a treatise by P. G. Mishunin

confined to the very beginning of the Soviet regime, 1917–18, entitled *Ocherki po istorii sovet'skogo ugolovnogo prava, 1917–1918 gg.* (1954). Another is in the nature of a compilation of penal clauses to be found in legislation of the USSR and RSFSR which was enacted during the period 1917–52, *Sbornik dokumentov po istorii ugolovnogo zakonodatel'stva SSSR i RSFSR, 1917–1952 gg.* (1953). Two treatises deal with the comparatively recent Soviet criminal statutes: Kh. M. Akhmetshin discusses the law on state secrets in *Okhrana gosudarstvennoi tainy-dolg sovet'skikh grazhdan* (1954), and A. Petrov the law against warmongering in *Zakonodatel'stvo v zashchitu mira* (1954). The discussion by M. D. Shargorodskii of crimes against the person, *Otvetstvennost' za prestupleniia protiv lichnosti* (1953), may be considered obsolete in view of the recently enacted death penalty for murder. Works by V. Kurinov, T. Sergeeva and B. S. Utevkii on protection of socialist property are described elsewhere.

S. L. Zivs wrote a bitter attack on the criminal law of the United States, accusing it of "reactionary" tendencies in *Reaktsionnaia sushchnost' ugolovnogo prava SShA* (1954).

A collectively written comprehensive treatise on criminal procedure to be used as a textbook in universities was prepared by the faculty of the Law School of Moscow University, *Sovetskii ugolovnyi protsess* (1953). A work devoted to medical experts (forensic medicine) is M. I. Avdeev's *Voprosy sudebno-meditsinskoi ekspertizy* (1954). V. G. Lebedinskii brought out the third edition of a book of forms for judicial investigations and public prosecutions, *Obraztsy osnovnykh prokurorskosledstvennykh aktov* (1954), and a treatise on the organization of the work of public prosecutors, *Organizatsiia raboty sovet'skoi prokuratury* (1953). The office of the attorney general published *Gosudarstven-*

nyi obvinitel' v sovetskom sude (1954), a manual for public prosecutors which was compiled by several authors.

A general discussion of Soviet courts is to be found in two monographs. I. D. Perlov describes what the organization of the work of the Soviet court should be in *Organizatsiia raboty sovetskogo suda* (1953), and I. T. Goliakov seeks to prove that the Soviet court is the most democratic in the world in *Sovetskii sud—samyi demokraticeskii v mire* (1954).

The perplexing problem of contracts in Soviet law is the subject of several treatises. The most interesting one, which reports several court decisions not otherwise available outside of the Soviet Union, is R. O. Khalfina's *Znachenie i sushchnost' dogovora v sovetskom sotsialisticheskom grazhdanskom prave* (1954). I. A. A. Donde analyzes the role of contracts between government agencies in the field of supply involving national economy in his *Khoziaistvennyi dogovor i ego rol' v snabzhenii narodnogo khoziaistva SSSR* (1953). I. B. Novitskii discusses legal transactions in general, and the statute of limitation affecting them in particular, in *Sdelki, Iskovaia davnost'* (1954).

Among other topics of civil law, there is a study by O. S. Ioffe which is devoted to torts, *Obiazatel'stva po vozmeshcheniiu vreda* (2d ed., 1952); and one by A. K. Iurchenko on missing persons, *Bezvestnoe otsutstvie po sovetskomu grazhdanskomu pravu* (1954).

The right of ownership in a socialist society in general is treated in a long monograph by M. V. Kalganov, *Sobstvennost' v sotsialisticheskom obshchestve* (1953), while socialist (governmental) property in particular is treated by A. V. Karass in *Pravo gosudarstvennoi sotsialisticheskoi sobstvennosti* (1954). The protection of socialist and public property by means of criminal law is covered in B. A. Kurinov's *Ugolovnaia otvetstvennost' za khishchenie*

gosudarstvennogo i obshchestvennogo imushchestva (1954), N. I. Zagorodnikov's *Kak sovetskoe gosudarstvo okhraniaet sotsialisticheskuiu sobstvennost'* (1954), and B. S. Utevskii's *Praktika primeneniia zakonodatel'stva po bor'be s khishcheniem sotsialisticheskogo imushchestva* (1954); and A. V. Venediktov's *Grazhdansko-pravovaia okhrana sotsialisticheskoi sobstvennosti* (1954) deals with protection of socialist property under civil law.

Since the enactment in 1949 of the law permitting small privately owned houses Soviet housing has consisted both of government-owned buildings and dwelling houses which are privately owned although they are built on government-owned land. Three monographs treat of one or another aspect of Soviet housing. Two are devoted to private transactions for privately owned buildings: I. L. Braude's *Pravo na stroenie i sdelki po stroeniiam po sovetskomu pravu* (2d rev. ed., 1954) and V. F. Maslov's *Pravo lichnoi sobstvennosti na zhiloi dom v gorode i rabochem poselke* (1954). The third, a discussion of occupancy in government-owned housing, is S. Bomash's *Pravila pol'zovaniia zhiloi ploshchad'iu v domakh gosudarstvennogo zhilishchnogo fonda* (1953).

A comprehensive treatise on domestic relations is V. I. Boshko's *Ocherki sovetskogo semeinogo prava* (1952). S. E. Kopelianskaia deals particularly with the rights of mother and child in *Prava materi i rebenka v SSSR* (1954). A small collection of regulations on claims for maintenance and support which under Soviet law are granted only for children born in wedlock, *Vzyskanie alimentov* (1953), may also be mentioned in this connection.

A. F. Kleinman brought out a new edition of his text on Soviet civil procedure, *Sovetskii grazhdanskii protsess* (1954), and B. S. Antimonov a study on the lawyer in Soviet civil procedure, *Advokat v sovetskom grazhdanskom protsesse* (1954).

Several publications which were acquired deal with individual topics in the functioning of the collective farm. L. N. Bakhovkina discusses the legal aspects of distribution of income in collective farms in *Pravovoe regulirovanie raspredeleniia dokhodov v kolkhozakh* (1954). A. I. Korolev outlines the legal status of a chairman of a collective farm in *Pravovoe polozhenie predsedatelia kolkhoza* (1954) and P. P. Piatnitskii studies compensation for labor in collective farms in *Oplata truda v kolkhozakh* (1953). G. A. Aksenok examines land tenure of the Soviet governmental farms (*sovkhozy*), of the Machine-Tractor-Stations (*MTS*), and similar governmental enterprises, in *Pravo zemlepol'zovaniia sovkhov, MTS* (1953), and N. D. Kazantsev writes of collective farm ownership (*kolkhozy*) in *Pravo kolkhoznoi sobstvennosti v SSSR* (1953).

In the field of labor law, a new edition of the standard text by N. G. Aleksandrov, *Sovetskoe трудовое право* (1954), was received. A. M. Kaftanovskaia discusses labor record books, which are issued to every worker in the Soviet Union, in *Trudovye knizhki rabochikh i sluzhashchikh* (1954). G. K. Moskalenko treats of transfers and missions in *Perevody i komandirovki po sovetskomu pravu* (1953). A. E. Pashernstnik brought out a third edition of his work on settlement of labor disputes, *Rassmotrenie trudovykh sporov* (1953).

Currently received treatises on international law reflect the line taken by the USSR in the cold war or seek to justify its stand on international problems. K. A. Baginian tries to show violations by the free nations of the principle of non-intervention with sovereignty of independent states in *Narushenie imperialisticheskimi gosudarstvami printsipa nevmeshatel'stva* (1954). A. N. Nikolaev discusses the problem of territorial waters in *Problema territorial'nykh vod v mezhdunarodnom prave* (1954), and S. V. Molodtsov the interna-

tional status of the Antarctic in *Sovremennoe mezhdunarodno-pravovoe polozhenie Antarktiki* (1954).

In the field of maritime law, a comprehensive work by A. D. Keilin, *Sovetskoe morskoe pravo* (1954), was received. P. D. Samoilovich discusses the shipping of cargo by sea in *Pravovoe oformlenie morskikh perevozok грузов* (1954); G. L. Shmigel'skii deals with useless delays of seacraft in harbors in *Sovetskoe morskoe pravo v bor'be s prostoiami sudov* (1954); and M. K. Petrov covers the legal aspects of tugboating in *Pravovye voprosy buksirovki* (1954).

The rest of the treatises received during the year deal with a variety of subjects. Methods of settling disputes between governmental trading agencies is discussed in M. P. Shaliupa's *Gosudarstvennyi arbitrazh v SSSR* (1953); local taxes in S. M. Vinokur's *Mestnye nalogi i sbory* (2d ed., 1953); legal problems of foreign commerce in D. F. Ramzaitsev's *Pravovye voprosy vneshnei torgovli SSSR* (1954); and state insurance (social security) in F. V. Kon'shin's *Gosudarstvennoe strakhovanie v SSSR* (2d ed., 1953). S. S. Ostroumov's course on court statistics is given in *Sovetskaya sudebnaia statistika* (1954), which does not, however, contain any actual figures.

Two publications in the nature of source books may prove very convenient for a student working in a place where Russian collections are meager. One is a compilation of all the laws issued in connection with the emancipation of peasants in 1861, *Krest'ianskaia reforma v Rossii 1861 goda* (1954); the other is a collection of Soviet decrees and other material relating to the nationalization of industry during 1917-20, published by the Central Governmental Archives of the October Revolution and entitled *Natsionalizatsiia promyshlennosti v SSSR. Sbornik dokumentov i materialov*

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1917-1920 gg. (1954). Many documents appear in print for the first time in this collection, which was edited by I. A. Gladkov.

M. N. Tikhomirov has published a manual for the study of the first Russian legal code, the eleventh-century *Russkaia Pravda*, entitled *Posobie dlia izucheniia Russkoi Pravdy* (1953). It reproduces part of the original manuscript and portions of various texts.

The constitutions and laws of the satellite countries continue to be printed in Russian translations. A collection of these constitutions and their amendments, *Konstitutsii evropeiskikh stran narodnoi demokratii* (1954), and a 1954 printing of the constitution and numerous basic laws of the Hungarian Republic, *Konstitutsiia i osnovnye zakonodatel'nye akty Vengerskoi Narodnoi Respubliki*, were received, as was the constitution of the Lithuanian Soviet Republic in Russian, *Konstitutsiia . . . Litovskoi Sovetskoi Sotsialisticheskoi Respubliki* (1954).

Harold J. Berman and Miroslav Kerner's *Soviet Military Law and Administration*, issued by Harvard University Press in 1955, is the first book on the subject in English.

Far Eastern Countries

When the Far Eastern Law Section was established in the Law Library in February 1954 it took over the responsibility for the acquisition of legal materials of the Far Eastern countries. These include codes, current legislation, miscellaneous treatises published either as monographs or serials, and legal periodicals. The majority of these publications come through direct purchase and the remainder through exchange and gift. The total number of pieces received during the first 10 months of the fiscal year was 3,416. They came from China, Burma, Indonesia, Japan, Korea, and Thailand.

In the case of laws and statutes that are difficult to obtain, or of laws for which an English version is not published, microfilm is a frequently used means of acquisition. During the past year about 1,000 individual laws were acquired on film.

Several recent acquisitions in English are useful for students of comparative law. Purushottama P. Pillai is the compiler of *Asian Labor Laws*, issued by the Indian Branch of the International Labor Office (New Delhi, 1951). It is the first compilation of its kind on labor legislation of Asiatic countries in Asia, and covers Afghanistan, Burma, Ceylon, China, the French establishment in India, Hong Kong, India, Indochina, Indonesia, Japan, the Federation of Malaya, Pakistan, the Philippines, Singapore, and Thailand. The first part of the work is introductory, presenting a summary of the international regulations and national legislation on matters relating to employment and unemployment; vocational training and apprenticeship; conditions of work; employment of children and young persons; employment of women; industrial safety, hygiene, and welfare; social security; industrial relations; and labor inspection and seafarers. The second part consists of the labor laws of each of the countries concerned, together with a list of other related laws.

A source book on the legal status of women under Annamite customary law is provided in Pierre Lustéguy's *La Femme annamite du Tonkin dans l'institution des biens culturels (Huong-Hoa)*, which originally appeared in Paris in 1935. Charles A. Messner's English translation of it has been published under the title *The Role of Women in Tonkinese Religion and Property* (New Haven, 1954).

Edward A. Kracke's *Civil Service in Early Sung China, (960-1067)* (Cambridge, Mass., 1953) furnishes a concise discussion of its subject, with emphasis on the development of controlled sponsorship,

and its objective, procedures, and policies. The pertinent features of Sung law in regard to the sponsor's disciplinary methods and legal responsibility are discussed. An extensive bibliography is included.

The influence of American legal concepts on Japan and its legal system since World War II, and its repercussion on a Japanese jurist, was set forth by TAKAYANAGI Kenzô, Professor Emeritus of the University of Tokyo, in his "Contact of the Common Law with the Civil Law in Japan," an address delivered at the Fourth Congress of the International Academy of Comparative Law (August 2, 1954). This honest reflection on the recent trends of the reform of Japanese law seems to remind us that there is no perfection in either the common law or the civil law, and nothing absolutely bad in one or the other. The address appears in the Winter 1955 issue of the *American Journal of Comparative Law*. In the same is a complete bibliography of Japanese law in Western languages, by Richard W. Rabinowitz. It emphasizes the neglect of the law of this area by the Western World.

REPUBLIC OF CHINA ¹⁴

Material on current Chinese law was received quite regularly. The official gazettes of the different branches of the government, together with the periodicals and compilations of the ministries, furnish adequately the various sources of law. Some of the important gazettes received are: *Tsung tung fu kung pao* (Official Gazette of the Office of the President), *Taiwan sheng cheng fu kung pao* (Official Gazette of the Taiwan Provincial Government), *Lih fa yuan kung pao* (Official Gazette of the Legislative Yuan), *Szu fa chuan k'an* (Official Gazette of the Judicial Yuan), and *Chün fa chuan k'an*, (Military Law Journal). For the most recent legislation, the official daily newspaper of the Kuomin-

tang Party and the Government, *Chung yan jih pao* (The Central Daily News), is informative.

Some of the current statutes that are of interest to the student of conflict of laws are: The Civil Aviation Law (May 1953), The Law Concerning the Application of Laws (June 1953), the Chinese Rules on Conflict of Laws, The Extradition Law (April 1954), The Foreign Investment Law (July 1954), and the Conscription Law (August 1954). One of the most significant compilations published in Taiwan is the *Chung hwa min kuo liu fa li yu pan chieh* (1955), which consists of China's six codes (constitution, civil, criminal, commercial, civil and criminal procedure, and miscellaneous codes) with the decisions and advisory opinions of the courts as precedents on the interpretation of the statutory provisions. A draft of *Index of Current Laws and Statutes of China*, and other compilations on educational, tax, financial, land reform, and military laws were also received.

Chung hwa min kuo hsien fa lun (1952), by HSIEH Yin-chou, formerly Minister of Justice, is a brief analysis and annotation of the Constitution of the Republic of China, promulgated on December 26, 1946. The author first traces the development of constitutions in China, then discusses the background and the doctrine upon which the present one is founded. The functions and coordination of the five branches of the government, namely, the Executive Yuan, Legislative Yuan, Judicial Yuan, Examination Yuan, and Control Yuan, are given a precise description. Emphasis is placed on the structure of the central government and its functions. A text of the present Constitution of the Republic of China with amendments is appended. Another recent work on the Constitution of the Republic of China by another former Minister of Justice, HSIEH Kwan-sheng, is *A Brief Survey of the*

¹⁴ All publications described in this section were issued in Taiwan.

Chinese Constitution (1954), published in English. SHIH Shang-k'uan's *Shing cheng fa lun* (1953) defines the principles and practice of administrative law in China. The author points out the functions and procedure of the administrative tribunals in China, compared with those in France, Germany, and Japan. A concise bibliography of French, German, and Japanese material on administrative law is provided. The author has another work, entitled, *Tu ti fa yun lun* (1951), which is a standard commentary on the land law of China.

Hsu Tao-lien's *Chung kuo fa chi shih lueh* (1953) is a summation of Chinese legal history from the Han Dynasty (400 B. C.) to the time when China began the westernization of its laws (1902). During this period of more than 2,000 years the Chinese legal system attained a uniform development and unique homogeneity. The author also gives a brief survey of the various schools of legal thought as driving forces in legal development in each dynasty. Emphasis is placed on the code of the T'ang dynasty (618-907), trial procedure in the Sung dynasty (960-1279), and the mandarin system in the Ching dynasty (1644-1911). A glossary of legal terminology for each dynasty is included. On the history of the development of modern Chinese law, WANG Chi-po's *Min kuo szu fa chi* (1954) deals with the judiciary reform of the Republic of China, going back to 1902. The codification of the laws, the organization of the courts, and the administration of justice are the main topics discussed. The training of lawyers and judges and other current innovations in judicial reform are also featured.

Recent publications on Chinese criminal law are the *Hsing shih su tsun fa lun* (1953) and *Hsing fa ko lun* (1954), by CHEN Po-sheng. The former is a treatise on Chinese criminal procedure, while the latter deals with specific provisions in Chinese criminal law. On press law, a joint

work by LU Kang and PAN Yin-mo entitled *Chung kuo hsin min fa kuei lun* (1952) presents the issue of freedom of the press by tracing the development of the press law, the copyright law, and other emergency legislation. A bibliography of press laws under the various governments of China since 1904 and other related regulations are included. On military law, the Ministry of Defense has recently published a collection which includes the Chinese code of military justice and many other codes, entitled *T'sui hsin chuen fa hui pen* (1952).

COMMUNIST CHINA¹⁸

The statutory law of Communist China, consisting of laws passed by the National People's Congress and of administrative decrees and orders, is printed in the official newspapers of the Communist Party and in pamphlets and compilations of the various ministries and commissions. These have been received by the Library.

The Constitution of the Chinese Communist Regime was adopted at the first session of the First National People's Congress on September 20, 1954. It reflects the general trend of constitutions in Communist countries, which are in conformity with the Soviet pattern. The Library has copies of this Constitution in many languages in addition to English and Chinese. Like the Soviet Constitution and various Soviet codes, the Chinese Constitution and the various laws are essentially decorative. They are being subordinated to everyday administrative decrees and orders, and are predetermined by economic policy and state planning. Recent legislation such as the Organic Law of the National People's Congress (September 20, 1954), the Organic Law of the People's Court (September 21, 1954), and the Organic Law of the Office of the People's Public-Procurator (Sep-

¹⁸ All publications mentioned in this section were issued in Peking.

tember 21, 1954) serve as an indication of the basis of policy and current trend. Of the compilations of laws published by the various ministries of the regime, the Library has received *Chung yan tsai ching cheng ts'e fa ling hui pen* (1952) and *Chung yan lo tung fa ling hui pen* (1953). The former is a 3-volume collection of the central government's economic laws and policies, while the latter deals with labor laws, various administrative decrees, and related regulations.

JAPAN ¹⁶

More than 700 titles have been added to the Japanese law collection, of which about 300 contain statutory materials. Current legislation is printed in *Kampô* and *Horei zensho*. The Library also has the 1954 edition of *Roppô zensho*, *Genkô hôki sôran* (1950) in 34 volumes, *Henrei taikai* (1955) in 41 volumes, and *Dai shin-in minji hanrei Yôshi-zenshû* (1951), in addition to other compilations of the Supreme Court, the Attorney General's Office, and ministries and commissions.

During the Allied Occupation of Japan (1945-51), the reform in Japanese law was carried out from the Constitution downwards. This unprecedented influx of common law concept and practices brought about the adoption of a new constitution in 1946, the reorganization of the judiciary, especially the Supreme Court, and amendments to the Code of Criminal Procedure, the Family Law in the Civil Code, and to the Company Law in the Commercial Code. During this period of transition in Japanese legal reform many standard commentaries were published on constitutional law, namely, MINOBE Tatsukichi's *Nihon kempô genron* (1948), SASAKI Sôichi's *Nihon-koku kempô ron* (1949), RÔYAMA Masamichi's *Shin kempô kôza* (1949), MIYAZAWA Toshiyoshi's *Kempô nyûmon*

(1950), KIYOMIYA Shirô's *Kempô* (1950), and INADA Masatsugu's *Kempô teiyô* (1954), as well as many other works on the interpretations of the Constitution of 1946.

In accordance with the provisions of the Constitution of 1946, many changes were made in administrative law, and many new administrative agencies modeled after those in the United States were introduced in both the central and local governments. Administrative courts were abolished and all litigation against the government was placed under the jurisdiction of the ordinary courts. In general, the civil law concept in administrative law remains essentially the same. The traditional distinction between public and private law continues to be the basis, with the former as the subordinating and the latter the coordinating law. Some of the recent acquisitions of Japanese administrative law are *Gyôsei-hô yôgi* (1948) and *Gyôsei-hô no kihon mondai* (1949), by SUGIMURA Shôzaburô; *Gyôsei-hô no kihon genri* (1949), by TANAKA Jirô; *Nihon-koku gyôsei-hô yôran* (1950), by WATANABE Sôtarô; *Gyôsei-hô joron* (1950), by MINOBE Tatsukichi; and *Gyôsei soshô no sho-mondai* (1954), by ASAGA Sakae.

In connection with the provisions of the Constitution of 1946 concerning civil liberties and the Bill of Rights of the citizens, there are many sweeping changes in the new Code of Criminal Procedure (as amended in 1948, 1949, 1952, and 1953); and the procedure of habeas corpus was imported with the enforcement of the Habeas Corpus Law in 1948. Among the recent acquisitions are *Jinshin hogo-hô* (1948), published by the Supreme Court; and *Jinshin hogo-hôron* (1949) by Ito Osamu, which deals with the theory and practice of habeas corpus. For the Criminal Code and the Code of Criminal Procedure, there are: *Shin keiji seisaku* (1953), by YASUHIRA Masakichi; *Shin keiji soshô-hô* (1951), by HIRABA Yasuharu; and *Keiji-*

¹⁶ All publications mentioned in this section were issued in Tokyo.

hō kōza (1952), compiled by the Criminal Law Society, Nihon Keiho-Kai. Publications on the Code of Civil Procedure are: *Minji soshō-hō* (1949), by KANEKO Hajime; *Minji soshō-hō* (1950), by KIKUI Tsunahiro; and *Minji soshō-hōgaku gaisetsu* (1950), by NOMA Shigeru. On the newly created Family Court, and the law of domestic relations, there are: *Kaji shimpan-hō gaisetsu* (1954), by ICHIKAWA Shirō; *Kaji shimpan tetsuzuki* (1948), by KAWASHIMA Juei; *Shin kon-in hō* (1950), by MIYAZAKI Kojirō; *Shinzoku-hō* (1949), compiled by NAKAGAWA Zennosuke; and *Shinzoku sōzoku-hō kaisetsu* (1949), by WAGATSUMA Sakae. For the new company law and law on bankruptcy, one can consult: *Kaisha kankei shin hōritsu kaisetsu* (1952), compiled by Diamond-sha and *Hasan-hō yogi* (1954), by OKAMURA Genji. Other acquisitions of interest are: *Hōrei yōgo jiten* (1950), a dictionary of legal terminology by SATŌ Tatsuo; *Hōgaku jiten* (1951), compiled by SUEKAWA Hiroshi; and *Shin hōgaku jiten* (1952), another legal dictionary, compiled by WAGATSUMA Sakae.

KOREA ¹⁷

Some 800 titles of statutory law and presidential decrees of the Republic of Korea in English have been received. Other legal materials, such as the Constitution of 1948, as amended in 1952 and 1954, the Criminal Code of 1953, and recent legislation on land reform in English were also received.

For the study of constitutional law, there are: Yi Ch'ang-su's *Taehan Minguk hōnpōp taeüi* (1948); *Hōnpōp* (1953), by PAK Il-gyōng; *Hōnpōp Kaeron* (1954), by PAK Ch'on-il; and *Hōnpōp haeüi* (1954), by YU Chin-o. Since the promulgation of the Code of Criminal Procedure on Sept. 23, 1954, the Library has received two standard

commentaries on the subject, namely, *Sin hyōngsa sosong-pōpnon* (1954), by KIM Yong-sik, and *Sin Hyōngsa sosong-pōp* (1954), by OK Hwang-nam. *Sin Hyōng-pōp haeüi* (1954), by KIM Yong jin, is also worthy of mention.

Compilations of laws include *Hanguk pōmnyōng chip* (1952), containing all the current laws and statutes up to 1952, and *Mungyo Kwangye pōmnyōng chip* (1954), which gives laws and decrees relating to culture and education. For international law there is *Kukche-pōp Kaeron* (1954), by Yi Kōnho; for administrative law, *Haengjōng-pōp Kaeron* (1953), by KANG Won-gil, and *Haengjōng-pōp Chōngüi* (1954), by Yi Chong-gük; and for the law of civil procedure, *Minsa Sosong-pōp* (1954), by Yi Yōng-sōp.

Few legal materials were received from North Korea, apart from the text of its constitution and some treatises on the subject.

Canon Law

Seven manuscripts in the field of canon law dating from the thirteenth and fifteenth centuries were acquired during the year. The earliest contains Burcardus of Strasbourg's *Summa de casibus*, believed—on the basis of researches by Fr. Amédée Teetaert—to have been composed in the last decade of the thirteenth century.

Bartholomaeus Pisanus' *Summa de casibus conscientiae* is found in two manuscripts, one written in 1420 and the other in 1459. Composed in 1338, this is an alphabetical handbook which was used both by parish priests and by lower ecclesiastical courts as a tool of reference, and underwent many changes. The texts of the two manuscripts differ somewhat, and the later one also contains Joannes Andreae's *Summa brevissima super 4. libro decret.* The same author's *Repetitiones super varias partes decretalium* is found in a manuscript written at Basel and Vald-

¹⁷ All publications mentioned in this section were issued in Seoul.

stetten in 1463 and 1469, which contains, among other texts, a treatise *De horis canonicis*, ascribed to Andreae but not listed elsewhere among the writings of the great fourteenth-century canonist.

The remaining three manuscripts are a fifteenth-century German translation of the constitution of the Franciscan order; a fifteenth-century *Lex successionis impera-*

torum (author unknown); and a fifteenth-century manuscript containing Petrus de Ubaldis' *De canonica episcopali et parochiali*, a monograph on the so-called *portio canonica* which has been of great importance in canon law down to the present day, together with some decrees of the Council of Constance.

THE STAFF OF THE LAW LIBRARY

Maps

THE Map Division is distinctive in the size of its collections, as well as in the comprehensive area, date, and subject coverage of its holdings. It maintains its preeminent status by endeavoring "to acquire copies of all currently available printed, engraved or otherwise duplicated maps which make any significant contribution to knowledge."

By automatic deposit and through various procurement channels the collections are augmented monthly by more than 5,200 maps and almost a hundred atlases. Over 90 percent of the accessions involve no direct cost to the Library.

Receipts during the year from May 1, 1954 to April 30, 1955 provide a representative view of acquisitions, classified by sources:

Source:	Maps	Atlases
Transfer.....	*25,420	*323
Government Source.....	*15,976	27
International Exchange.....	12,921	*72
Purchase.....	3,914	127
Copyright.....	3,567	314
Gift.....	1,139	*153
Domestic Exchange.....	*178	*4
Total	63,115	1,020

* Increase over previous year.

Because the Library's procurement program is so extensive and comprehensive, these statistics constitute a fairly accurate measure of map and atlas publishing for most countries of the world.

Acquisitions fall into two general categories: current publications and noncurrent or retrospective materials. Of the

sources listed in the table, Government, international exchange, and copyright supply current publications exclusively. Although a large proportion of purchase and gift acquisitions are current or of recent date, these groups also include some retrospective items. All receipts by transfer and domestic exchange channels are noncurrent publications.

Transfer

As noted in previous reports, most maps received by transfer come from large governmental map libraries. Major contributors are the Department of State, the Army Map Service, the National Archives, and the Aeronautical Chart and Information Center. Because of their noncurrent character, maps acquired by transfer have a low processing priority. Consequently, since 1946 the bulk of material so received has been consigned to dead storage. During the past year some 36 boxes and 56 rolls were added to the unprocessed backlog of transfer maps.

In the summer months of 1954 the Map Division employed, for the fourth consecutive year, a group of graduate students to process and file maps from this backlog. Supplementing these workers, who represented eight colleges or universities, were four employees of libraries and educational institutions. The latter served from two to six weeks as members of the Summer Map Processing Project, at the expense of their own institutions, in exchange for the opportunity to select surplus maps and atlases for their libraries.

The 25,420 maps and 323 atlases listed in the above table constitute materials which were processed and added to the collections by members of the Summer Project. Thirty-seven thousand additional map sheets, from the backlog, were partially processed, and some 23,700 sheets were relegated to the surplus triplicate file.

Domestic Exchange

Maps and atlases designated as "surplus" or "triplicate" are made available through the Exchange and Gift Division to libraries throughout the country. Institutions which participate in the Summer Project receive priority in selecting items from the surplus file. Other libraries may acquire such maps through exchange. During the 12 months covered by this report, 31,700 maps and 360 atlases were distributed through domestic exchange.

Acquisitions under this heading constitute but a fraction of one percent of the distribution figures. Twelve institutions contributed a total of 178 maps and 4 atlases. Most worthy of note are photostats, supplied by the William L. Clements Library, of manuscript maps of colonial America in its collections.

Gifts

About two percent of the maps (1,139) and 15 percent of the atlases (153) added during the year were presented to the Library. In general, gifts from individuals fall in the noncurrent or retrospective category. Many of the choice cartographic treasures in the Map Division have been received from interested friends and public-spirited donors.

An interesting map, executed by hand on cloth, was received from Lt. Col. George T. Adair, of Chevy Chase, Md. Measuring approximately 50 by 40 inches, it covers a portion of Giles County, Va., along New River in the region of the pres-

ent town of Narrows. It was probably drawn during the first or second decades of the nineteenth century. The map shows New River and certain of its tributaries, a number of local place-names, several roads, and land grants for property owned by Colonel Adair's uncle, William Adair, and grandfather, Robert Wallace.

Mrs. David Wagstaff and Hunt Tilford Wagstaff, of Tuxedo Park, N. Y., are the generous donors of a colored manuscript map of Tuxedo District, dated May 4, 1795. It is 12 by 16 inches in size and carries the inscription (signed by James Clinton): "A Map of the North Easterly end of Lots No. 22 and 23 in the Patent of Cheesecock, in the County of Orange belonging to the American Iron Company in the State of New York. . . ."

Mrs. S. Whittemore Boggs, of Chevy Chase, Md., presented 64 maps from the personal collection of her late husband, who served as Special Adviser on Geography in the Department of State and was a distinguished student of political geography. Included were several foreign mission maps prepared by Mr. Boggs early in his career.

Carefully executed sketch maps, illustrating early aspects of exploration and map-making in the Pacific Northwest, were contributed by Mr. J. Neilson Barry of Portland, Oreg. They were prepared by Mr. Barry on the basis of his long and careful study of existing maps and historical accounts of the region.

From Mr. Lawrence Miller came three interesting sailing charts. The earliest, prepared by James Thomson and published in London by Laurie and Whittle in 1797, is entitled *A New Chart of the North Sea with the Skager-Rack Extending from the Straits of Dover to the Northward of Bergen in Norway and from the Skaw to the Isles of Shetland*. The second, published in London in 1808 by William Heather, is *A New Chart of the White Sea from the*

North Cape to Archangel & Onega. The third of Mr. Miller's gifts was published in Liverpool in 1816 by Thomas Evans. It is dedicated "To the Worshipful the Mayor, Merchants, Underwriters, Captains & Master Pilots of Liverpool," and is entitled *An Entire New and Correct Chart from an Actual Survey of Liverpool & Chester Rivers.*

Current publications comprise the larger percentage of maps and atlases received as gifts. They come from chambers of commerce, planning boards, trade associations, commercial and industrial organizations, as well as from individuals. The Gulf Oil Corporation presented a map of Barbados, and L. L. Pownall, Senior Lecturer in Geography at Canterbury University College in Christchurch, N. Z., sent glossy prints of detailed land-use maps of 47 New Zealand cities and towns. The maps show, in patterns of black and white, industrial areas, the central business district, residential, recreational, and educational centers, public buildings, hospitals, cemeteries, orchards and gardens, and urban political boundaries.

Purchases

Approximately 6 percent of the maps (3,914) and 12 percent of the atlases (127) acquired during the year were purchased. With one or two notable exceptions, purchases are of current publications.

Especially worthy of note among the retrospective acquisitions are 12 rare charts, published in 1695, which comprise the earliest Swedish hydrographic atlas. The work of Petter Gedda (1661-97), this atlas bears the title *General hydrographisk chart-book öfwer Osternsjön och Kattegatt.*

Gedda, a naval captain and cartographer, spent the year 1693 making careful measurements of the coasts of the Baltic Sea, the Skagerrak and Kattegat, and the Gulfs of Finland and Bothnia. His accurate survey was so well received that, by

royal decree, in September 1694, he was given sole publication rights for 10 years. Accordingly, he arranged to have the 12 charts published in Amsterdam in the following year in Swedish, Dutch, and English editions.

Of the charts in the Library's copy of Gedda's atlas, five have titles in Swedish, three in Dutch, and three in English, and one includes titles in all three languages. The name of A. Winter, engraver, appears on one of them. A biographical sketch of Gedda and a detailed description of the atlas are published in *Sveriges sjökarta*, by Per Dahlgren and Herman Richter (Stockholm, 1944).

Most of the Division's purchase funds are used to acquire current cartographic publications which cannot be procured by other means. A few noncopyrighted maps and atlases of domestic publishers are purchased if they cannot be obtained as gifts or on exchange, but most of the items bought were foreign publications. They included school wall maps, plans of towns and cities, facsimiles of old maps, sheets of official surveys unavailable via exchange, and photo-reproductions of manuscript maps relating to America which are in foreign libraries or archives.

The greatest share of the purchase funds has been expended for atlases published by foreign commercial producers as well as by governmental agencies. A number of the more interesting works warrant individual description.

Of new general world atlases, most distinctive is *Atlas Mira*, published in 1954 by Glavnoe Upravlenie Geodezii i Kartografii in Moscow. Edited by A. N. Baranov, it is similar in format to the well-known Italian Touring Club Atlas. It includes 283 plates, 75 of which are of the USSR or its subdivisions. Most of them show generalized relief by contours and color gradients, and all place names, titles, and legends are in Russian. The separately

bound gazetteer and index of place names, which is to accompany the atlas, is expected in the near future.

The same publisher also issued in 1954 a general world atlas for use in secondary schools. Its transliterated title is *Geograficheskii atlas dlia uchielei srednei shkoly*. In addition to 156 pages of colored maps the atlas includes illustrations and descriptive text.

Maly Politicky Atlas Sveta is the title of a new world atlas published at Prague in 1953 by the Statin Zememericky a Kartograficky Ustav. It includes 116 map pages, backed up with descriptive text, and an alphabetical index of 73 pages.

Since its publication in 1927, the *Atlante Internazionale* of the Touring Club Italiano has been one of the foremost general reference atlases. Several revisions have been issued, the most recent in 1951. The many political changes resulting from World War II and its aftermath induced the directors of T. C. I. to prepare a systematic revision and elaboration of the atlas.

The first set of plates of the new *Atlante Internazionale* has been received. It is issued in looseleaf format, and it is expected that all eight sections, containing some 175 pages of maps, together with a separate 250-page index volume, will be completed by the close of 1956. The proposed table of contents appeared in the August 1954 number of *Le vie d'Italia*.

Atlas universel Aguilar is a Spanish contribution to general world atlases. Published in 1954 by Aguilar of Madrid, the atlas is similar in format, scope, and plan to such standard American works as Rand McNally's *Cosmopolitan World Atlas* and the *Encyclopaedia Britannica World Atlas*.

Two variations of popular British world atlases were also acquired. The *Canadian Oxford Atlas* is a Canadian edition (Toronto, 1951) of the atlas issued by the Oxford University Press. Of similar qual-

ity and format is the *Edinburgh World Atlas*, published in 1954 by the Geographical Institute in Edinburgh. This is a slightly modified version of Bartholomew's *Advanced Atlas of Modern Geography*, designed for home and library use.

Several interesting topical world atlases were among the year's accessions. In the historical field are Gerhard Ziegler's *Karten für den Geschichtsunterricht*, published in 1953 by the Volk und Wissen Volkseigener Verlag of Berlin; Hans Zeissig's *Neuer Geschichts und Kultur-Atlas*, issued in 1954 by the Atlantik-Verlag Paul List of Frankfurt; and Eugenii A. Kosminskii's *Atlas istorii srednikh vekov*, published in 1935 by the Glavnoe Upravlenie Geodezii i Kartografii in Moscow. The first two cover the entire span of history, while the third centers attention on the medieval period. All three are of fairly small size.

The *Oxford Economic Atlas of the World*, published in 1954 by the Oxford University Press, includes 113 pages of world maps showing the distribution of various commodities. An index covering 152 pages lists statistical data by countries, arranged in alphabetical sequence.

A Yugoslav economic atlas of the world, *Gospodarski Atlas Sveta*, compiled by Stane Zrimec, was published in 1952 by Drzavna Zalozba Slovenije at Ljubljana. Its 120 black-and-white maps shows world distribution of various economic products. Many of the plates include enlarged inset maps of Europe, as well as statistical graphs.

Four parts of the second volume of the *Welt-Seuchen Atlas (World-Atlas of Epidemic Diseases)* were received. Edited by Ernst Rodenwaldt and Helmut J. Juszatz, under the sponsorship of the Heidelberger Akademie der Wissenschaften, the *Atlas* was initiated during World War II to portray medical hazards of areas for which military operations were planned. Ten

map plates (of some 40 planned) are included in the portion of volume 2 that has been received, along with a descriptive text for each plate in German and English. Map titles and legends are also bilingual.

Allied to the *Welt-Seuchen Atlas* and, in a sense, a byproduct of it, is the *Welt-Bevölkerungs-Atlas Verteilung der Erde um das Jahr 1950* (World Atlas of Population Distribution of the Population of the Earth about the Year 1950). It was edited by Dr. Friedrich Burgdörfer and published in 1954 by the Falk-Verlag in Hamburg. In the same looseleaf format as the *Welt-Seuchen-Atlas*, the population atlas includes five maps with related pages of tables and text (in German and English). It is based on the results of the first world population census sponsored by the United Nations. Five additional maps are projected.

A significant development in cartographic publication during the past 10 or 15 years has been the increased emphasis upon regional atlases. There are great variations in size, coverage, and subject content of such works. They may cover as much as a continent or as little as a city or its parts. Information presented may be comprehensive and general or detailed and specific. The atlas may be small in size and the result of limited research and compilation or it may be a monumental volume, compiled by outstanding specialists and presenting the best available data through the most advanced cartographic and reproduction methods and techniques.

Aristocrats in the family of regional atlases are the so-called "national atlases" or "single-country atlases." A model among publications of this type is the *Atlas de France*, compiled by the Comité National de Géographie in France. Publication of a national atlas of France was discussed as early as 1922, but a specific plan was not outlined until 1931. The first sheets of the atlas appeared in 1933 and it was completed (with a total of 84 plates) in 1945.

In 1951 the Comité National de Géographie began publishing the second edition of the *Atlas de France*. Twenty-six plates of this edition have been received.

Similar in plan and makeup, but with slightly larger plates, is the *Atlas de Belgique*, which is being published by the Belgian Comité National de Géographie and printed by the Institut Géographique Militaire. Although planned before World War II, the first sheets of Belgium's national atlas were not published until 1949. The completed publication will include more than 50 maps featuring the place of Belgium in Europe, its administration, its cartography, its biogeography, and its physical, human, economic, and regional geography. The Library has received 20 maps thus far.

Sweden is also in process of producing a national atlas, *Atlas över Sverige*. Its publication was planned for a long time by the Svenska Sällskapet för Antropologi och Geografi, and at the close of World War II actual preparation was started. The editorial committee includes C. J. Anrick, Ivar Högbom, Gerd Eneqvist and Magnus Lundqvist. The last named also serves as editor-in-chief. The first plates were published in 1953, and the Library has thus far received 30 of some 150 which are planned. The plates are arranged in 14 subject groups, such as geophysics and geography, population, agriculture, and industry. Each plate is accompanied by a descriptive text in Swedish, with a summary in English. Map titles are also given in both languages.

In format and size the *Atlas över Sverige* closely resembles the *Atlas de France*. In preparing the atlas, "the fundamental principles of the editorial committee have been to present facts within the various sections without attempting to attain the completeness which can only be supplied by special text books."

Two parts, comprising 12 plates, of a new atlas of Poland (*Atlas polski*) have

also been received. It is prepared by the Centralny Urząd Geodezji i Kartografii, and published at Warsaw by the Państwowe Przedsiębiorstwo Wydawnictw Kartograficznych. With the exception of one sheet, which has reproductions of historical maps, the plates thus far published portray physical and climatic aspects of the country.

Also of the single-country type is the *Atlas of Sierra Leone*, compiled by the Survey and Lands Department at Freetown, Sierra Leone, and published in 1953 by Edward Stanford, Ltd., of London. Bound in soft covers, the atlas includes four plates of general maps (*i. e.*, world, Africa, West Africa), and 10 plates with physical, climatic, political, agricultural, and population maps of Sierra Leone.

Several general atlases of individual countries, published by commercial concerns, are also new acquisitions. Of especial interest is the *Atlas S. S. S. R.* (USSR Atlas) published in Moscow in 1954 by the Glavnoe Upravlenie Geodezii i Kartografii. The format is small (page-size 10 x 7 inches), but most of the maps cover double pages and some are folded. The first 16 plates are general political and physical maps of the country and its major parts. The major portion of the atlas (some 60 plates) consists of hypsometric relief maps of sections of the country. An especially valuable feature is the 70-page index of place names.

Mapa de España, published in 1953 by Bosch of Barcelona, includes four sections of a map of Spain, at the scale of 1:1,500,000, folded and bound in covers. A fifth map includes the Canary Islands and Spanish possessions in the Mediterranean Sea and Africa.

Several special subject atlases for individual countries are also of interest. Two are of India and related areas. The *Oxford Economic Atlas for India and Ceylon* was prepared by the Cartographic Depart-

ment of the Clarendon Press and published in 1953 by the Oxford University Press. It includes a number of economic and distribution maps of the world as well as a group for the countries listed in the title. There is also a series of hypsometric relief maps of the several continents.

The *Indian Agricultural Atlas* was issued at Delhi in 1952 by the Economic and Statistical Adviser of the Indian Ministry of Food and Agriculture. It is a revised version of the *Crop Atlas of India*, published some years ago, and "seeks to present all important agro-economic data relating to India in the form of maps and diagrams." There are 55 pages of colored maps.

Since World War II a number of regional atlases covering parts of Germany have been published. The *Sudetendeutscher Atlas*, published in Munich in 1954 under the editorship of Emil Meynen, "incorporates documentary evidence concerning the German ethnic group and is the result of the combined efforts of Sudeten German historians, geographers, jurists, philologists, historians of art and political economists." The atlas, which includes 28 map plates with accompanying texts in German, French and English, "represents a scientific work for the use of future conferences, making clear the geographical and historical facts of the Sudetenland."

The *Klima-Atlas von Baden-Württemberg* is a publication of the Deutscher Wetterdienst. Published at Bad Kissingen in 1953, it includes 84 looseleaf plates of maps and graphs, and a 37-page accompanying leaflet with descriptive text.

Another topical-regional atlas is *Atlas linguistique et ethnographique de la Gascogne*, by Jean Séguy, which includes some 219 map plates, with several introductory pages of text, in a looseleaf portfolio. Published at Toulouse in 1954, it comprises the first volume of the *Nouvel atlas linguistique de la France*, now being prepared under the general direction of Albert Dauzat.

Several distinctive facsimile atlases and maps were also acquired by purchase. One of them is Armando Cortesão's treatise, *The Nautical Chart of 1424 and the Early Discovery and Cartographical Representation of America*, issued by the University of Coimbra in 1954. The chart, reproduced in color, is the earliest document on which the name "Antilia" appears. Cortesão, therefore, believes that "the Antilia group of four islands shown for the first time in the 1424 Chart should be regarded as the earliest cartographical representation of any American lands."

The original chart, once in the collection of the late Sir Thomas Phillipps (1792-1872), was acquired by the University of Minnesota Library for its James Ford Bell Collection.

The World Map by Richard Haldingham A. D. 1285, published in 1954 by the Royal Geographical Society in London, is the third in its series, "Reproductions of Early Manuscript Maps." The facsimile, in uncolored plates, is accompanied by a memoir prepared by G. R. Crone, librarian of the Society.

This unique map, preserved in Hereford Cathedral, is described as "the largest medieval 'mappa mundi' to have survived intact and is remarkable for its wealth of topographic and iconographic detail, in which the outlook of the later middle ages is reflected." It was recently renovated and provided with a new oak case by the Royal Geographical Society in London. While it was there it was reproduced for the present facsimile.

John Speed's *Theatre of the Empire of Great Britaine* is one of the significant atlas publications of the seventeenth century, and a considerable contribution to British mapmaking. First published in 1611, it ran through about 20 editions. It includes individual maps of all the counties of England. Although Speed did little original surveying for the maps, he made many cor-

rections and alterations as new information became available. Speed maps have a decorative quality far in advance of those of his predecessors.

Because of the importance of Speed's *Theatre* to British cartographical history, Phoenix House Limited of London has recently (1953-54), issued a "Coloured Facsimile of the Maps and Text" from the first edition, in four handsome volumes, each with a separate slipcase. It is edited by John Arlott.

Another noteworthy facsimile purchase is *Maps of the Neva River and Adjacent Areas in Swedish Archives*, assembled and edited by Leo Bagrow and Harald Köhlin. Published in 1953 by the Malmö Ljustrycksanstalt in Malmö, Sweden, the portfolio of maps and accompanying text is the third in Bagrow's series of reproductions bearing the general title *Anecdota cartographica*.

There are in all 24 uncolored maps on 18 plates, with six pages of descriptive comments about the maps and the archives where the originals are to be found.

The bicentenary of the first triangulation of the island of Mauritius was recognized in 1953 by the publication in that year of a group of facsimile maps entitled *Atlas souvenir de l'Abbé de La Caille* by the Mauritius Government Press at Port Louis. In addition to nine reproductions of historical maps, the atlas includes a biographical sketch of the Abbé de la Caille.

Copyright Deposit

Maps, atlases, globes, and relief models prepared by commercial publishers in the United States are acquired by copyright deposit. Following registration and cataloging in the Copyright Office, such publications are transferred to the Map Division. Thirty percent of the atlases and more than five percent of the maps acquired during the year came from this source. They

are all listed in the *Catalog of Copyright Entries, Third Series, Maps and Atlases*, published semiannually by the Copyright Office.

Atlases received by copyright have included new works, such as *Hammond's Ambassador World Atlas* (1954), and new editions of older ones, such as Rand McNally and Company's *Commercial Atlas and Marketing Guide* and *Cosmopolitan World Atlas*, and a 1954 edition of the *Encyclopaedia Britannica World Atlas*. New editions of Sanborn insurance atlases and maps for a number of United States cities also came through this source.

In the topical regional category is the *Climatic Atlas of the United States*, by Stephen S. Visser (Cambridge, Mass., 1954). This comprehensive work has 1,031 maps and charts, and includes chapters on temperature, winds, atmospheric pressure, storms, sunshine, evaporation and humidity, precipitation, some consequences of climate and weather, and climatic regions.

Publishers of road maps, such as the American Automobile Association, the General Drafting Company, the H. M. Goushá Company, and Rand McNally and Company are regularly among the largest depositors of copyright maps. Such producers of school maps as George F. Cram, Denoyer-Geppert, C. S. Hammond and Company, and again Rand McNally also account for a large group.

Ownership maps for the oil industry increase in numbers each year. Issued for the most part as blueline prints, these maps, based on aerial surveys, are prepared by a growing number of surveyors and map-makers. Most of these producers are located in the Western and Southwestern States.

Although most copyright maps and atlases are deposited by well-established publishers, each year many interesting items are received from individual artists,

illustrators, or cartographers. Random selections include Garner P. Dicus' *Missions of California*, Lowell Edward Jones' *Pictorial Map of Alaska*, Arthur Vanous' *New York Shopping District*, Ernest Dudley Chase's *Stamp Map of the United States*, and Victor Charles West's *Ships Claimed by Davy Jones along Coos County, Oregon*.

The *Map of Downtown Pueblo, Colorado* by the Leach Realty Company, *Progressive Mystic and Vicinity* by the Mystic, Conn., Chamber of Commerce, *Plan for Major Thoroughfares & Freeways* by the City Planning Commission of Houston, and *Claim Map, Big Indian Area San Juan County, Utah*, by the Plateau Map Association are other examples of special subject maps.

Most of the globes and relief models which the Library acquires are also copyright deposits. Several interesting moulded plastic models were received during the past year. A plastic relief model of New Jersey was copyrighted in 1954 by Aero Service Corporation of Philadelphia. It is at the scale of 1:250,000 and is printed in nine colors on lightweight vinyl. Elevations are shown by hypsometric tints and raised relief. Adjacent parts of New York, Pennsylvania, and Delaware are included on the rectangular-shaped map. The Delaware Water Gap is easily recognized, and the flat marshlands of the south Jersey coast contrast strikingly with the Kittatinny Mountains in the northern part of the State.

Aero Service Corporation also copyrighted a fourth edition of its popular plastic relief wall map, *United States of America*. It measures 40 by 64 inches and is at the scale of 1:3,125,000. A plastic relief map of the world was prepared by the same corporation for Dun and Bradstreet's *International Markets*. The scale is one inch to 750 miles and the size 21 by 31 inches.

International Exchange

International exchange is the source which provides the Library with most of its foreign maps, particularly those issued by official mapping agencies. During the past eight or nine years the Library has cooperated with other Federal mapping agencies and map libraries in procuring maps published in other countries. This cooperation is effected through an informal Inter-Agency Foreign Map Procurement Committee. State Department geographic attachés, in various parts of the world, negotiate exchanges or make purchases for the joint committee or its several member agencies.

The effectiveness of this program is evident from the fact that international exchange receipts by the Library since the committee has been in operation have averaged more than 15,000 map sheets annually. Largely because the number of geographic attachés was reduced, receipts for the past year are slightly below this average.

Official (and a few commercial) mapping organizations in some 60 countries and dependencies contributed to the total of 12,921 maps acquired through international exchange. Great Britain and Canada each contributed almost 2,000, comprising, for the most part, sheets of large- and medium-scale official surveys.

Included in the 600 maps received from France was an additional group of French city plans prepared by the Ministère de la Reconstruction et de l'Urbanisme. Some 3,600 such plans (15,000 sheets) on scales ranging from 1:1,000 to 1:10,000 have been received since World War II.

The Western European countries are among the most active map producers. Consequently receipts from this area swell the total. In addition to countries already mentioned, large shipments of maps were received from Finland, Germany, Italy, the Netherlands, Portugal, and Spain.

South America, which had no geographic attaché last year, provided some seven or eight hundred maps. Argentina, Brazil, and Chile accounted for more than 65 percent of this total.

Receipts from Africa about equalled those from South America, with some 16 or more countries, colonies, and dependencies represented. Nigeria, Sudan, and the Union of South Africa were the largest producers.

In Asia Japan continues to be the most profitable source for maps. Thailand, Ceylon, and Malaya also supplied interesting cartographic items. Australia, New Zealand, and the Philippine Republic are among the leading contributors in the Australasia area.

Government Source

Under this source are included acquisitions received on automatic deposit from Federal mapping organizations or as gifts from agencies representing State, county, or local governments. The total received from the latter group is small, but included are maps of local areas not available from other sources.

Aeronautical commissions, State highway departments, geological and mineral surveys, development councils, planning boards, departments of recreation and conservation, engineering departments, agriculture and forestry departments, and regional authorities are representative of the varied local contributors. More than 30 States are in this year's list.

More than 20 Federal agencies publish maps in appreciable quantities. With the exception of a limited few bearing security classifications all Government map publications come to the Library on automatic distribution. Just under 16,000 maps were received in such distributions during 1954-55. This represents 25 percent of all the maps acquired and more than 42 percent of the new map receipts, exclusive of trans-

fers. This year's total is the largest recorded since 1951, and above the annual average of the past eight years.

Seventy percent of the Federal map publications received by the Library were prepared by four agencies. Most prolific is the Army Map Service, operated by the Corps of Engineers, Department of the Army. The majority of its publications are reproductions or compilations of map sets of foreign countries. Some 3,000 sheets of its 8,500 total, however, constituted sheets of its 1:25,000, 1:50,000, and 1:250,000 series of the United States.

The Air Force's Aeronautical Chart and Information Center issued some 800 aeronautical charts. Most of the sheets constitute new editions in the *World Aeronautical Chart* series (WAC 1:1,000,000) or the *Pilotage* series at the scale of 1:500,000.

Responsibility for making original surveys and preparing topographic maps of the United States rests with the Geological Survey in the Department of the Interior. The quadrangles of the Geological Survey are well known to hikers, campers, engineers, students, highway builders, city and regional planners, and others whose work or pleasure requires large-scale, accurate, and detailed maps.

Although the Survey has been preparing quadrangles since 1879, there are still large areas of the country which lack good maps. It is gratifying to report, therefore, that during the past year almost 1,800 new or revised quadrangles were published. Most new sheets are at the scale of 1:24,000. For some areas, however, scales of 1:31,680, 1:62,500, or 1:125,000 are used. Almost every State is represented among the quadrangles received. The largest number of sheets are in the States of Kentucky, California, Tennessee, Wyoming, Florida, Texas, Colorado, and Maryland.

The Coast and Geodetic Survey in the Department of Commerce surveys coastal

areas and prepares nautical charts of our seacoasts. This agency also publishes aeronautical charts of the United States. New and revised editions of such air and water navigation charts account for almost a thousand acquisitions.

The Lake Survey, of the Corps of Engineers, issued some 20 new or revised navigation charts covering waters and harbors of the Great Lakes. Another Corps of Engineers agency, the Mississippi River Commission, prepares and publishes navigation charts for the river as well as topographic maps (1:62,500 scale) for the lower alluvial valley of the Mississippi.

The Tennessee Valley Authority supplied some 80 new topographic maps (1:24,000) covering parts of the area within its jurisdiction. From the Department of Agriculture came 76 county soil maps prepared by the Bureau of Plant Industry, Soils and Agricultural Engineering, 57 maps issued by the Soil Conservation Service, and maps of the various national forests supplied by the Forest Service.

Nautical charts, of waters other than those bordering the United States, were received from the Navy Department's Hydrographic Office. The Bureau of Reclamation and National Park Service (Interior Department), the Post Office Department, the Weather Bureau (Commerce Department), and the Department of State also supplied maps.

Maps prepared by official mapping agencies are accurate, attractive, and give useful and valuable information. Many persons, however, are not aware of the existence of these maps, even the ones covering their immediate environment. To bring such materials to the attention of their readers is one of the pleasant duties of librarians.

WALTER W. RISTOW
Assistant Chief,
Map Division

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SOME RECENT PUBLICATIONS OF THE LIBRARY OF CONGRESS

Aeronautical Sciences and Aviation in the Soviet Union: A Bibliography. 1955. 274 p. For sale by the Card Division, Library of Congress, Washington 25, D. C. Price \$2. This bibliography lists some 3,500 publications.

The Card Catalogs of the Library of Congress, a Brief Description. 1955. 30 p. For sale by the Superintendent of Documents, Government Printing Office, Washington 25, D. C. Price 30 cents. A brief description of card catalogs in the Library that cover collections of maps, microfilm, prints and photographs, manuscripts, rare books, newspapers, pamphlets, music, science materials, and periodicals, as well as a variety of collections organized by language.

Chinese Scientific and Technical Serial Publications in the Collections of the Library of Congress. 1955. 55 p. For sale by the Superintendent of Documents, Government Printing Office, Washington 25, D. C. Price 40 cents. This bibliography covers roughly the last 50 years and is based solely on titles in the Library of Congress collections.

Guide to the Special Collections of Prints & Photographs in the Library of Congress. 1955. 200 p. For sale by the Superintendent of Documents, Government Printing Office, Washington 25, D. C. Price \$1.25. Special collections of pictures in the Library of Congress are so varied that, although this guide

does not represent all of them, it lists a total of 802 such groupings. Whenever a "special collection" is of such a nature that it represents a substantial body of picture material bearing on some particular point, an attempt has been made to describe it. The collections are listed in a single alphabet of identifying designations, and a subject index is included.

Introduction to Asia. A Selective Guide to Background Reading. 1955. 214 p. For sale by the Superintendent of Documents, Government Printing Office, Washington 25, D. C. Price \$1. A basic bibliography on Asia, with emphasis on the modern period. It lists 811 items, all carefully annotated.

Polish Abbreviations. A selective list, compiled by Janina Wojcicka. 1955. 122 p. For sale by the Card Division, Library of Congress, Washington 25, D. C. Price 90 cents.

Walt Whitman: Man, Poet, Philosopher. 1955. 53 p. For sale by the Superintendent of Documents, Government Printing Office, Washington 25, D. C. Price 25 cents. This publication contains the three lectures presented under the auspices of the Gertrude Clarke Whittall Poetry and Literature Fund in January 1955. The lectures, a part of the Library's celebration of the centennial of the publication of Walt Whitman's *Leaves of Grass*, were given by Gay Wilson Allen, Mark Van Doren, and David Daiches.

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